

<p style="text-align: right;">Page 1</p> <p>CITY OF CORAL GABLES BOARD OF ADJUSTMENT DECEMBER 2, 2024 427 BILTMORE WAY, FIRST FLOOR CONFERENCE ROOM CORAL GABLES, FL 33134 9:00 A.M.</p> <p>BOARD MEMBERS Chairperson Gema Pinon Board Member Nicolas Cabrera Board Member Sandra Murado Board Member Alberto Perez Board Member Gustave Perez Board Member Eugene Wolman</p> <p>Clifford Friedman, Esq. City Attorney</p> <p>STAFF: Arceli Redila Zoning Administrator Development Services</p>	<p style="text-align: right;">Page 2</p> <p>1 INDEX 2 AGENDA ITEM E.-1 3 APPLICANT PRESENTATION PAGE 33 4 STAFF PRESENTATION PAGE 41 5 MEMBERS OF THE PUBLIC PAGE 68 6 ROLL CALL PAGE 92 7 8 AGENDA ITEM E.-2 9 APPLICANT PRESENTATION PAGE 96 10 STAFF PRESENTATION PAGE 101 11 ROLL CALL PAGE 111 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 3</p> <p>1 PROCEEDINGS 2 (Thereupon, the City of Coral 3 Gables Board of Adjustment 4 commenced at 9:00 a.m.) 5 UNIDENTIFIED SPEAKER: Recording in 6 progress. 7 CHAIRPERSON PINON: Good morning and 8 welcome our new Members. 9 The Board of Adjustment is comprised of 10 seven members. Four members of the Board shall 11 constitute a quorum. And the affirmative vote 12 of four members of the Board present shall be 13 necessary to authorize or deny a variance or 14 grant an appeal. 15 A tie vote shall result in the automatic 16 continuance of the matter to the next meeting 17 which shall be continued until a majority vote 18 is achieved. 19 If only four members of the Board are 20 present, an applicant shall be entitled to a 21 postponement to the next regularly scheduled 22 meeting of the Board. 23 Any person who asks -- acts as a lobbyist 24 pursuant to the City of Coral Gables Ordinance 25 No.: 2006-11 must register with the City Clerk</p>	<p style="text-align: right;">Page 4</p> <p>1 prior to engaging in lobbying activities or 2 presentations before City Staff, Boards, 3 Committees and/or the City Commission. 4 A copy of the Ordinance is available in 5 the office of the City Clerk. Failure to 6 register and provide proof of registration 7 shall prohibit your ability to present to the 8 Board. 9 I now officially call the City of Coral 10 Gables Board of Adjustment meeting of 11 December 2, 2024 to order. The time is 12 9:03 a.m. 13 Can we, please, have the roll call? 14 ZONING ADMINISTRATOR REDILA: Gema Pinon. 15 CHAIRPERSON PINON: Present. 16 ZONING ADMINISTRATOR REDILA: Nicolas 17 Cabrera. 18 BOARD MEMBER CABRERA: Present. 19 ZONING ADMINISTRATOR REDILA: Sandra 20 Murado. 21 BOARD MEMBER MURADO: Present. 22 ZONING ADMINISTRATOR REDILA: Alberto 23 Perez. 24 BOARD MEMBER PEREZ: Present. 25 ZONING ADMINISTRATOR REDILA: Gustave</p>

<p style="text-align: right;">Page 5</p> <p>1 Perez.</p> <p>2 BOARD MEMBER PEREZ: Here.</p> <p>3 ZONING ADMINISTRATOR REDILA: Eugene</p> <p>4 Wolman.</p> <p>5 BOARD MEMBER WOLMAN: Here.</p> <p>6 CHAIRPERSON PINON: Please be advised that</p> <p>7 this Board is a quasi-judicial board and the</p> <p>8 items on the agenda are quasi-judicial in</p> <p>9 nature which requires Board Members to disclose</p> <p>10 all ex-parte communications and any site</p> <p>11 visits.</p> <p>12 An ex-parte communication is defined as</p> <p>13 any contact, communication, conversation,</p> <p>14 correspondence, memorandum or other written or</p> <p>15 verbal communication that takes place outside a</p> <p>16 public hearing between a member of the public</p> <p>17 and a member of quasi-judicial board regarding</p> <p>18 those matters to be heard by the Board.</p> <p>19 If anyone has made any contact with a</p> <p>20 Board Member regarding an issue before the</p> <p>21 Board, the Board Member must state on the</p> <p>22 record the existence of the ex-parte</p> <p>23 communication and the party who originated the</p> <p>24 communication.</p> <p>25 Does anybody have any -- did anyone have</p>	<p style="text-align: right;">Page 6</p> <p>1 any conversations with anyone?</p> <p>2 BOARD MEMBER MURADO: No.</p> <p>3 BOARD MEMBER PEREZ: No.</p> <p>4 BOARD MEMBER PEREZ: No.</p> <p>5 CHAIRPERSON PINON: No. Okay.</p> <p>6 BOARD MEMBER WOLMAN: No.</p> <p>7 BOARD MEMBER CABRERA: No.</p> <p>8 CHAIRPERSON PINON: Great.</p> <p>9 Also, if a Board Member conducted a site</p> <p>10 visit specifically related to the case before</p> <p>11 the Board, the Board Member must also disclose</p> <p>12 such a visit.</p> <p>13 In either case, the Board Member must</p> <p>14 state on the record whether the ex-parte</p> <p>15 communication and/or the site visit will effect</p> <p>16 the Board Member's ability to impartially</p> <p>17 consider the evidence to be presented before</p> <p>18 this matter.</p> <p>19 The Board Member shall also state that his</p> <p>20 or her decision will be based on substantial,</p> <p>21 competent evidence and testimony presented on</p> <p>22 the record today.</p> <p>23 Does any Board Member have any</p> <p>24 communication or site visit to disclose at this</p> <p>25 time?</p>
<p style="text-align: right;">Page 7</p> <p>1 BOARD MEMBER MURADO: No.</p> <p>2 BOARD MEMBER PEREZ: No.</p> <p>3 BOARD MEMBER PEREZ: No.</p> <p>4 BOARD MEMBER CABRERA: No.</p> <p>5 BOARD MEMBER WOLMAN: No.</p> <p>6 CHAIRPERSON PINON: No. Okay. So our</p> <p>7 first matter is the approval of the minutes.</p> <p>8 Can I please have a motion?</p> <p>9 BOARD MEMBER CABRERA: Motion to approve</p> <p>10 the minutes.</p> <p>11 CHAIRPERSON PINON: And --</p> <p>12 BOARD MEMBER WOLMAN: I will second.</p> <p>13 CHAIRPERSON PINON: Great. Can we have</p> <p>14 the roll call, please?</p> <p>15 ZONING ADMINISTRATOR REDILA: Gema Pinon.</p> <p>16 CHAIRPERSON PINON: Yes.</p> <p>17 ZONING ADMINISTRATOR REDILA: Mr. Cabrera.</p> <p>18 BOARD MEMBER CABRERA: Yes.</p> <p>19 ZONING ADMINISTRATOR REDILA: Ms. Murado.</p> <p>20 BOARD MEMBER MURADO: Yes.</p> <p>21 ZONING ADMINISTRATOR REDILA: Mr. Perez.</p> <p>22 BOARD MEMBER PEREZ: Yes.</p> <p>23 ZONING ADMINISTRATOR REDILA: Mr. Gustave</p> <p>24 Perez.</p> <p>25 BOARD MEMBER PEREZ: Yes.</p>	<p style="text-align: right;">Page 8</p> <p>1 ZONING ADMINISTRATOR REDILA: Mr. Wolman.</p> <p>2 BOARD MEMBER WOLMAN: Yes.</p> <p>3 CHAIRPERSON PINON: Okay. Let's move on</p> <p>4 here.</p> <p>5 So let's -- swearing in. Everyone who</p> <p>6 speaks today must complete the roster on the</p> <p>7 podium. We ask that you print clearly so that</p> <p>8 the official records of your name and address</p> <p>9 will be correct.</p> <p>10 Now with the exception of attorneys, all</p> <p>11 person -- persons who will speak on agenda</p> <p>12 items before us this morning, please rise to be</p> <p>13 sworn in.</p> <p>14 ASSISTANT CITY ATTORNEY FRIEDMAN: And if</p> <p>15 anybody on Zoom is going to be speaking, please</p> <p>16 rise and raise your right hand and turn on your</p> <p>17 camera.</p> <p>18 THE COURT REPORTER: Would you raise your</p> <p>19 right hand.</p> <p>20 Do you solemnly swear or affirm that the</p> <p>21 testimony that you will provide will be the</p> <p>22 truth, the whole truth and nothing but the</p> <p>23 truth?</p> <p>24 MR. MILNE: I do.</p> <p>25 MR. NUÑEZ: I do.</p>

<p style="text-align: right;">Page 9</p> <p>1 THE COURT REPORTER: Thank you.</p> <p>2 CHAIRPERSON PINON: In deference to those</p> <p>3 present, we ask that all cell phones, pagers</p> <p>4 and other electrical devices be turned off at</p> <p>5 this time.</p> <p>6 Now let's proceed with the agenda.</p> <p>7 Arceli, you have the floor.</p> <p>8 ZONING ADMINISTRATOR REDILA: Good</p> <p>9 morning, Madame Chair, Members of the Board.</p> <p>10 Arceli Redila, Zoning Administrator.</p> <p>11 The first item before you is a setback</p> <p>12 variance for gazebo for a single-family home</p> <p>13 located at 5200 San Amaro Drive.</p> <p>14 The Applicant is here to present. And let</p> <p>15 me just state this for the record. That this</p> <p>16 item was presented to the Board on September 9,</p> <p>17 2024, the last meeting that we had.</p> <p>18 There were only four Board Members present</p> <p>19 at that meeting. And after presentation and</p> <p>20 discussion a motion was made to grant the</p> <p>21 variance.</p> <p>22 But the vote was three in favor and one</p> <p>23 opposed. So the motion failed and no other</p> <p>24 action was taken at that time. So that's why</p> <p>25 we are here today. And there have been no</p>	<p style="text-align: right;">Page 10</p> <p>1 changes to the materials in the last meeting</p> <p>2 that we had.</p> <p>3 CHAIRPERSON PINON: If I may I just wanted</p> <p>4 to make a clarification with the Attorney's</p> <p>5 Office.</p> <p>6 It's my understanding that what may seem</p> <p>7 like an oxymoron, but according to Robert's</p> <p>8 Rules of Order such a vote the -- the three to</p> <p>9 one is, in fact, no action.</p> <p>10 So the -- the Applicant is -- is able to</p> <p>11 re-present the item before the Board. Is -- is</p> <p>12 that correct?</p> <p>13 ASSISTANT CITY ATTORNEY FRIEDMAN: That --</p> <p>14 that is correct. Clifford Friedman, Assistant</p> <p>15 City Attorney.</p> <p>16 The -- as -- as Arceli stated the Board</p> <p>17 heard this item and heard testimony from the</p> <p>18 Applicant and from Staff and also there was an</p> <p>19 opportunity for public comment. The Board --</p> <p>20 there was a motion to approve made. That</p> <p>21 motion failed. And a failed motion is not a</p> <p>22 denial.</p> <p>23 So the Board can approve, approve with</p> <p>24 conditions or deny. But those need to be</p> <p>25 affirmative votes. So you are correct, Madame</p>
<p style="text-align: right;">Page 11</p> <p>1 Chair.</p> <p>2 CHAIRPERSON PINON: And another question I</p> <p>3 have regarding this matter.</p> <p>4 Does that action need to be rescinded or</p> <p>5 can we proceed without any action regarding</p> <p>6 that -- that motion?</p> <p>7 ASSISTANT CITY ATTORNEY FRIEDMAN: There</p> <p>8 was -- essentially there was no action taken.</p> <p>9 And so, you know, here we can -- we can move</p> <p>10 forward as a continuation of the prior hearing.</p> <p>11 You know, Applicant's Counsel is here to make</p> <p>12 that presentation.</p> <p>13 I know we have some new Board Members as</p> <p>14 well. But you all also have the transcript</p> <p>15 from the prior hearing which you -- which you</p> <p>16 can review and consider.</p> <p>17 But there is -- there is no action to be</p> <p>18 rescinded.</p> <p>19 CHAIRPERSON PINON: Okay. Thank you.</p> <p>20 BOARD MEMBER PEREZ: To my knowledge we</p> <p>21 had a quorum last time this item was heard.</p> <p>22 Correct?</p> <p>23 ASSISTANT CITY ATTORNEY FRIEDMAN:</p> <p>24 Correct.</p> <p>25 BOARD MEMBER PEREZ: So if it was three to</p>	<p style="text-align: right;">Page 12</p> <p>1 one, why -- why did it fail?</p> <p>2 ASSISTANT CITY ATTORNEY FRIEDMAN: Because</p> <p>3 in the -- in the Code it specifically requires</p> <p>4 an affirmative vote of four to grant. And so,</p> <p>5 you know, in order for -- for this -- for this</p> <p>6 body to approve or deny or, you know, approve</p> <p>7 an appeal you would need four votes.</p> <p>8 And that's -- that's just specifically in</p> <p>9 the Code.</p> <p>10 BOARD MEMBER PEREZ: Because it was four</p> <p>11 Board Members in attendance.</p> <p>12 ASSISTANT CITY ATTORNEY FRIEDMAN: Even</p> <p>13 if -- the Board fully constituted would have</p> <p>14 seven members.</p> <p>15 Right? So in that case four would be a</p> <p>16 simple majority. But even if it had six</p> <p>17 members in attendance or five members in</p> <p>18 attendance, it would still be four required to</p> <p>19 approve.</p> <p>20 So that's why that failed. You know, a --</p> <p>21 a three to one, yes. The majority voted for</p> <p>22 it, but in the Code it specifically requires</p> <p>23 four in order to approve that variance.</p> <p>24 BOARD MEMBER PEREZ: Got it.</p> <p>25 CHAIRPERSON PINON: I do have one other</p>

<p style="text-align: right;">Page 13</p> <p>1 question.</p> <p>2 ASSISTANT CITY ATTORNEY FRIEDMAN: Sure.</p> <p>3 CHAIRPERSON PINON: Before we proceed,</p> <p>4 Mr. Mestre, if you will allow me. The Code</p> <p>5 specifically allows for a -- the Applicant to</p> <p>6 have a postponement.</p> <p>7 ASSISTANT CITY ATTORNEY FRIEDMAN: Uh-huh.</p> <p>8 CHAIRPERSON PINON: So if at the time of</p> <p>9 the initial meeting the Applicant elected not</p> <p>10 to -- not to have a postponement, is that --</p> <p>11 does that have an impact on having a subsequent</p> <p>12 postponement? Does that -- does it constitute</p> <p>13 a waiver?</p> <p>14 I just want to be clear for the record</p> <p>15 that that does not constitute a waiver and that</p> <p>16 this postponement is authorized pursuant to the</p> <p>17 Code.</p> <p>18 ASSISTANT CITY ATTORNEY FRIEDMAN: Yeah.</p> <p>19 And it's a continuance. Right? So we -- it</p> <p>20 wasn't a postponement. It was -- the item was</p> <p>21 heard. There was a motion to approve which</p> <p>22 failed.</p> <p>23 The Applicant could have -- it was -- it</p> <p>24 was offered to --</p> <p>25 CHAIRPERSON PINON: Right.</p>	<p style="text-align: right;">Page 14</p> <p>1 ASSISTANT CITY ATTORNEY FRIEDMAN: -- to</p> <p>2 postponement until there was a, you know, more</p> <p>3 than four -- four -- four individuals on the</p> <p>4 Board present.</p> <p>5 The Applicant decided to proceed. And the</p> <p>6 Board did not -- essentially did not take any</p> <p>7 action. And so this would be the continuation</p> <p>8 of that hearing. And -- and it is properly</p> <p>9 before you.</p> <p>10 CHAIRPERSON PINON: Great. Thank you.</p> <p>11 ASSISTANT CITY ATTORNEY FRIEDMAN: Of</p> <p>12 course.</p> <p>13 MR. MESTRE: Good morning. Ceasar Mestre.</p> <p>14 Law offices at 8105 Northwest 155 Street; Miami</p> <p>15 Lakes, Florida.</p> <p>16 There is another matter that we need to</p> <p>17 address before I make the presentation. My</p> <p>18 understanding is there has been a -- a</p> <p>19 commit -- Commission on Ethics complaint filed</p> <p>20 for improper lobbying from disclosures that</p> <p>21 were made the last time.</p> <p>22 And -- and one of -- one of the persons</p> <p>23 mentioned in the complaint is the Chairman now.</p> <p>24 So we just need to make sure that there is no</p> <p>25 conflicts at this point or if the Chair needs</p>
<p style="text-align: right;">Page 15</p> <p>1 to recuse herself.</p> <p>2 CHAIRPERSON PINON: I am not aware of any</p> <p>3 of this matter. I met with the City Attorney.</p> <p>4 I was not lobbied. I had no conversation</p> <p>5 regarding the matter. So I am not going to</p> <p>6 recuse myself. And I strenuously object to any</p> <p>7 inference that I behaved in any unethical</p> <p>8 manner.</p> <p>9 MR. MESTRE: I wasn't the one that -- that</p> <p>10 filed the complaint. I haven't seen it or --</p> <p>11 or read it. I am just aware that it was filed.</p> <p>12 And based --</p> <p>13 BOARD MEMBER MURADO: May I ask a question</p> <p>14 afterwards.</p> <p>15 MR. MESTRE: I am sorry.</p> <p>16 BOARD MEMBER MURADO: May I ask a question</p> <p>17 afterwards?</p> <p>18 MR. MESTRE: Sure. But I think based on</p> <p>19 the disclosures last time prior to you stated</p> <p>20 that you were in communication by a certain</p> <p>21 person regarding this matter and asked you</p> <p>22 to --</p> <p>23 CHAIRPERSON PINON: And --</p> <p>24 MR. MESTRE: -- to --</p> <p>25 CHAIRPERSON PINON: And I -- and I have</p>	<p style="text-align: right;">Page 16</p> <p>1 already provided the City Attorney and the</p> <p>2 Clerk's Office with copies of what those</p> <p>3 communications were.</p> <p>4 And in effect the communication was: "Do</p> <p>5 not contact me. I cannot have an ex-parte</p> <p>6 communication with you."</p> <p>7 That was the extent of the communication.</p> <p>8 So --</p> <p>9 ASSISTANT CITY ATTORNEY FRIEDMAN: Madame</p> <p>10 --</p> <p>11 CHAIRPERSON PINON: If I had known that it</p> <p>12 was going to rise to this leave I wouldn't have</p> <p>13 said anything. If anything, I -- I went beyond</p> <p>14 the scope of ethical -- of being ethical by</p> <p>15 disclosing that somebody had called me and I</p> <p>16 was forthright in saying that: "Don't call</p> <p>17 me."</p> <p>18 ASSISTANT CITY ATTORNEY FRIEDMAN: And</p> <p>19 just, Madame Chair, as you stated previously --</p> <p>20 you know -- as -- as long as you remain</p> <p>21 impartial and you believe that you can base</p> <p>22 your decision on the substantial, competent</p> <p>23 evidence and testimony presented there is no</p> <p>24 reason why you wouldn't be able to proceed.</p> <p>25 But if -- if that is not the case, then</p>

<p style="text-align: right;">Page 17</p> <p>1 you know, it -- it is essentially up to you.</p> <p>2 CHAIRPERSON PINON: I am not going</p> <p>3 anywhere. I didn't do anything wrong.</p> <p>4 BOARD MEMBER MURADO: I would like to ask</p> <p>5 a question.</p> <p>6 MR. MESTRE: Yes.</p> <p>7 BOARD MEMBER MURADO: Do I address it to</p> <p>8 Madame Chair?</p> <p>9 CHAIRPERSON PINON: Sure.</p> <p>10 BOARD MEMBER MURADO: Who filed the</p> <p>11 complaint? Do you have this complaint?</p> <p>12 MR. MESTRE: I don't know.</p> <p>13 BOARD MEMBER MURADO: Well, then if you</p> <p>14 filed it --</p> <p>15 MR. MESTRE: I have --</p> <p>16 BOARD MEMBER MURADO: -- in what capacity?</p> <p>17 Who -- who --</p> <p>18 MR. MESTRE: I received --</p> <p>19 BOARD MEMBER MURADO: Who sees it?</p> <p>20 MR. MESTRE: I --</p> <p>21 BOARD MEMBER MURADO: How did you find out</p> <p>22 about it?</p> <p>23 MR. MESTRE: I received --</p> <p>24 BOARD MEMBER MURADO: Who filed it?</p> <p>25 MR. MESTRE: I received a communication</p>	<p style="text-align: right;">Page 18</p> <p>1 telling me that it was filed and it was sent to</p> <p>2 the City Attorney's Office and to the Clerk's</p> <p>3 Office. That's -- that's the information that</p> <p>4 I know.</p> <p>5 BOARD MEMBER MURADO: Did you see a copy</p> <p>6 of the complaint?</p> <p>7 MR. MESTRE: I have not seen the it,</p> <p>8 though.</p> <p>9 CHAIRPERSON PINON: I don't have it</p> <p>10 either.</p> <p>11 BOARD MEMBER MURADO: Who told you there</p> <p>12 was a complaint then?</p> <p>13 MR. MESTRE: I can't answer that.</p> <p>14 BOARD MEMBER MURADO: You can't say it?</p> <p>15 MR. MESTRE: No.</p> <p>16 CHAIRPERSON PINON: Or you won't.</p> <p>17 BOARD MEMBER MURADO: Okay.</p> <p>18 CHAIRPERSON PINON: Come on --</p> <p>19 BOARD MEMBER MURADO: So you -- so you</p> <p>20 can't say it?</p> <p>21 CHAIRPERSON PINON: Or you won't.</p> <p>22 MR. MESTRE: I received a communication</p> <p>23 telling me that it was filed. That's all I can</p> <p>24 say regarding that.</p> <p>25 BOARD MEMBER MURADO: Okay. So you</p>
<p style="text-align: right;">Page 19</p> <p>1 received a communication.</p> <p>2 MR. MESTRE: And I have not seen it.</p> <p>3 BOARD MEMBER MURADO: And where was the</p> <p>4 ethics complaint filed? With what government</p> <p>5 entity?</p> <p>6 MR. MESTRE: By definition I guess it's</p> <p>7 the Commission on Ethics.</p> <p>8 BOARD MEMBER MURADO: The Commission on</p> <p>9 Ethics with Miami-Dade County --</p> <p>10 MR. MESTRE: Correct.</p> <p>11 BOARD MEMBER MURADO: -- or the City --</p> <p>12 MR. MESTRE: I believe so.</p> <p>13 BOARD MEMBER MURADO: You believe so?</p> <p>14 MR. MESTRE: Yes. As I said I haven't</p> <p>15 seen it.</p> <p>16 BOARD MEMBER MURADO: All right. Well, if</p> <p>17 you haven't seen it -- Mr. City Attorney, may I</p> <p>18 ask you a question or do I have to go through</p> <p>19 the --</p> <p>20 CHAIRPERSON PINON: No.</p> <p>21 BOARD MEMBER MURADO: Okay. Sir, have you</p> <p>22 received a copy of any ethics complaint filed</p> <p>23 with the Miami-Dade County Ethics Commission?</p> <p>24 ASSISTANT CITY ATTORNEY FRIEDMAN: I have</p> <p>25 not. My understanding is that there has been</p>	<p style="text-align: right;">Page 20</p> <p>1 one filed, but I don't believe that our office</p> <p>2 has had time to review that or really digest it</p> <p>3 in any way.</p> <p>4 CHAIRPERSON PINON: You know --</p> <p>5 BOARD MEMBER MURADO: Well, I would</p> <p>6 like --</p> <p>7 CHAIRPERSON PINON: I am really offended.</p> <p>8 BOARD MEMBER MURADO: -- to know --</p> <p>9 CHAIRPERSON PINON: I am really offended.</p> <p>10 BOARD MEMBER MURADO: -- who filed it if</p> <p>11 there is an ethics complaint. And if you found</p> <p>12 out that there is something to your knowledge,</p> <p>13 then if you have knowledge then I would like to</p> <p>14 know what that knowledge is.</p> <p>15 Is it a document? Is it somebody that</p> <p>16 said something?</p> <p>17 CHAIRPERSON PINON: I am really offended.</p> <p>18 I really am offended; really beyond, beyond.</p> <p>19 BOARD MEMBER MURADO: Are you taking a</p> <p>20 break?</p> <p>21 CHAIRPERSON PINON: No. I am leaving.</p> <p>22 BOARD MEMBER MURADO: Okay. Procedurally</p> <p>23 now, what happens?</p> <p>24 ASSISTANT CITY ATTORNEY FRIEDMAN: Do we</p> <p>25 have a Vice Chair for this Committee?</p>

<p style="text-align: right;">Page 21</p> <p>1 ZONING ADMINISTRATOR REDILA: I don't</p> <p>2 think we have a Vice Chair.</p> <p>3 ASSISTANT CITY ATTORNEY FRIEDMAN: Okay.</p> <p>4 Would the Board like to appoint a Vice Chair</p> <p>5 at --</p> <p>6 ZONING ADMINISTRATOR REDILA: Hold on.</p> <p>7 ASSISTANT CITY ATTORNEY FRIEDMAN: --</p> <p>8 this --</p> <p>9 ZONING ADMINISTRATOR REDILA: Hold on.</p> <p>10 Hold on. Let me check.</p> <p>11 ASSISTANT CITY ATTORNEY FRIEDMAN: Okay.</p> <p>12 ZONING ADMINISTRATOR REDILA: Because we</p> <p>13 have new Board members. So let me check.</p> <p>14 ASSISTANT CITY ATTORNEY FRIEDMAN:</p> <p>15 Typically in the -- in the absence of the Chair</p> <p>16 the Vice Chair would -- would run the meeting.</p> <p>17 BOARD MEMBER MURADO: I do have a question</p> <p>18 for the City Attorney while the Zoning</p> <p>19 Department reviews if there is a Vice Chair.</p> <p>20 ZONING ADMINISTRATOR REDILA: I am</p> <p>21 thinking it was Mr. Arrizurieta.</p> <p>22 BOARD MEMBER MURADO: And he is not here.</p> <p>23 And who was he appointed by?</p> <p>24 He was here for the September ninth</p> <p>25 meeting. And he is not on the list --</p>	<p style="text-align: right;">Page 22</p> <p>1 ASSISTANT CITY ATTORNEY FRIEDMAN: He --</p> <p>2 he is --</p> <p>3 BOARD MEMBER MURADO: -- of people on the</p> <p>4 agenda that are before -- that are part of the</p> <p>5 Board of Adjustment today.</p> <p>6 ASSISTANT CITY ATTORNEY FRIEDMAN: He is</p> <p>7 no longer on the Board of Adjustment.</p> <p>8 BOARD MEMBER MURADO: Who appointed him,</p> <p>9 please, Mr. City Attorney?</p> <p>10 ZONING ADMINISTRATOR REDILA: Mayor Lago.</p> <p>11 He was Mayor Lago's appointment.</p> <p>12 BOARD MEMBER MURADO: And did he resign</p> <p>13 from his position?</p> <p>14 ZONING ADMINISTRATOR REDILA: I don't</p> <p>15 think so. I am not sure. It --</p> <p>16 BOARD MEMBER MURADO: Well, we have a new</p> <p>17 appointment from Mr. Lago -- from our Mayor; I</p> <p>18 believe Nicolas Cabrera.</p> <p>19 So I would like to know what were the</p> <p>20 circumstances behind the other member not being</p> <p>21 here today?</p> <p>22 ASSISTANT CITY ATTORNEY FRIEDMAN: Well,</p> <p>23 it was --</p> <p>24 BOARD MEMBER MURADO: Did he resign?</p> <p>25 ASSISTANT CITY ATTORNEY FRIEDMAN: At this</p>
<p style="text-align: right;">Page 23</p> <p>1 point the -- the Board -- the Board should</p> <p>2 really appoint a new Chair -- appoint a Vice</p> <p>3 Chair so that this meeting can continue with</p> <p>4 some order.</p> <p>5 BOARD MEMBER MURADO: I understand, but I</p> <p>6 do have a question as to why he is no longer</p> <p>7 here.</p> <p>8 Why is he not a Board Member? I am just</p> <p>9 curious if you know the answer to that.</p> <p>10 BOARD MEMBER CABRERA: I -- I don't know</p> <p>11 if that's relevant to what we are trying to do</p> <p>12 here.</p> <p>13 BOARD MEMBER MURADO: I think it is</p> <p>14 relevant. Because you were recently appointed</p> <p>15 just like I was.</p> <p>16 BOARD MEMBER PEREZ: Why -- absolutely.</p> <p>17 BOARD MEMBER CABRERA: And --</p> <p>18 BOARD MEMBER PEREZ: Why -- why would it</p> <p>19 be relevant if he is here or not? I believe he</p> <p>20 was --</p> <p>21 BOARD MEMBER CABRERA: Are their term --</p> <p>22 are their term --</p> <p>23 BOARD MEMBER MURADO: It expired in 2025,</p> <p>24 May thirty-first.</p> <p>25 BOARD MEMBER PEREZ: I believe he may have</p>	<p style="text-align: right;">Page 24</p> <p>1 been termed out already.</p> <p>2 ASSISTANT CITY ATTORNEY FRIEDMAN: There</p> <p>3 are --</p> <p>4 BOARD MEMBER PEREZ: I believe he has</p> <p>5 on --</p> <p>6 ASSISTANT CITY ATTORNEY FRIEDMAN: There</p> <p>7 are --</p> <p>8 BOARD MEMBER PEREZ: -- this Board for a</p> <p>9 long time.</p> <p>10 ASSISTANT CITY ATTORNEY FRIEDMAN: There</p> <p>11 are also requirements for each Board Member.</p> <p>12 And so it may be that he no longer met the</p> <p>13 requirements. I am not a hundred percent sure</p> <p>14 on that. I would have to ask the Clerk's</p> <p>15 Office.</p> <p>16 BOARD MEMBER MURADO: But I believe I have</p> <p>17 a right to ask my questions.</p> <p>18 BOARD MEMBER PEREZ: Oh.</p> <p>19 ASSISTANT CITY ATTORNEY FRIEDMAN:</p> <p>20 Absolutely.</p> <p>21 BOARD MEMBER MURADO: Thank you.</p> <p>22 BOARD MEMBER PEREZ: Of course, you -- but</p> <p>23 like there is a way of asking not being so</p> <p>24 hostile.</p> <p>25 BOARD MEMBER MURADO: I don't think I</p>

<p style="text-align: right;">Page 25</p> <p>1 am --</p> <p>2 ZONING ADMINISTRATOR REDILA: I just</p> <p>3 received this --</p> <p>4 BOARD MEMBER MURADO: -- being hostile.</p> <p>5 ZONING ADMINISTRATOR REDILA: I just</p> <p>6 received this information from the City Clerk</p> <p>7 that I have two new members: Ms. Murado and</p> <p>8 Mr. Cabrera.</p> <p>9 BOARD MEMBER MURADO: Okay.</p> <p>10 ASSISTANT CITY ATTORNEY FRIEDMAN: So at</p> <p>11 this points I -- I think it would be prudent</p> <p>12 for the Board to appoint a Vice Chair who can</p> <p>13 act in the absence of the Chair.</p> <p>14 BOARD MEMBER MURADO: I -- I have a</p> <p>15 question before we appoint the Vice Chair</p> <p>16 and --</p> <p>17 ASSISTANT CITY ATTORNEY FRIEDMAN: Okay.</p> <p>18 BOARD MEMBER MURADO: -- it's procedural.</p> <p>19 And I am sorry if Mr. Perez thinks that I am</p> <p>20 speaking hostile. I don't think --</p> <p>21 BOARD MEMBER PEREZ: Well, I mean, listen.</p> <p>22 You are --</p> <p>23 BOARD MEMBER MURADO: -- I am.</p> <p>24 BOARD MEMBER PEREZ: You are -- you just</p> <p>25 got here.</p>	<p style="text-align: right;">Page 26</p> <p>1 BOARD MEMBER MURADO: Right.</p> <p>2 BOARD MEMBER PEREZ: There is a way of</p> <p>3 asking things in a certain manner. And I don't</p> <p>4 appreciate the way your tone is talking thus</p> <p>5 far being a new member. You are -- you are</p> <p>6 free to talk and ask as many questions as you</p> <p>7 want.</p> <p>8 But there is a way of framing and asking</p> <p>9 things that I personally feel you are coming</p> <p>10 out here in a manner that many up here aren't</p> <p>11 appreciating.</p> <p>12 So it's Monday morning. It's a beautiful</p> <p>13 morning. Take it easy.</p> <p>14 BOARD MEMBER MURADO: It is a beautiful</p> <p>15 morn. And I am sorry that you are taking this</p> <p>16 personally.</p> <p>17 BOARD MEMBER PEREZ: I -- I am not --</p> <p>18 BOARD MEMBER MURADO: Because it is</p> <p>19 personal --</p> <p>20 BOARD MEMBER PEREZ: I am not taking it</p> <p>21 personal. The last thing --</p> <p>22 BOARD MEMBER MURADO: You just said</p> <p>23 you did.</p> <p>24 BOARD MEMBER PEREZ: I want here is you</p> <p>25 come out here for the first morning -- for the</p>
<p style="text-align: right;">Page 27</p> <p>1 first time and start throwing bad ends at us.</p> <p>2 There is a way of asking things. Just calm</p> <p>3 down.</p> <p>4 BOARD MEMBER MURADO: I think I am really</p> <p>5 calm.</p> <p>6 BOARD MEMBER PEREZ: No. I don't think</p> <p>7 you are.</p> <p>8 BOARD MEMBER MURADO: Okay.</p> <p>9 BOARD MEMBER PEREZ: So what was your</p> <p>10 question?</p> <p>11 BOARD MEMBER MURADO: I think you answered</p> <p>12 it.</p> <p>13 BOARD MEMBER PEREZ: What is your</p> <p>14 question?</p> <p>15 BOARD MEMBER MURADO: That it didn't</p> <p>16 matter. I want to know the circumstances under</p> <p>17 which our --</p> <p>18 BOARD MEMBER PEREZ: And I think</p> <p>19 everybody --</p> <p>20 BOARD MEMBER MURADO: -- previous Board</p> <p>21 Member --</p> <p>22 BOARD MEMBER PEREZ: Everybody up here</p> <p>23 already stated that we don't know.</p> <p>24 BOARD MEMBER MURADO: Okay.</p> <p>25 BOARD MEMBER PEREZ: He already --</p>	<p style="text-align: right;">Page 28</p> <p>1 BOARD MEMBER MURADO: Thank you.</p> <p>2 BOARD MEMBER PEREZ: He already stated</p> <p>3 that the matter is that without us knowing we</p> <p>4 don't know why George isn't up here anymore.</p> <p>5 He may have moved from the City.</p> <p>6 Who knows?</p> <p>7 BOARD MEMBER MURADO: I understand that.</p> <p>8 But I believe that I have a right to find out.</p> <p>9 And as a Board of Adjustment Member regardless</p> <p>10 of what date I am here my responsibilities I</p> <p>11 take very seriously.</p> <p>12 BOARD MEMBER PEREZ: You see how --</p> <p>13 You see how nice your tone is now? How</p> <p>14 nice it is?</p> <p>15 BOARD MEMBER MURADO: I don't think my</p> <p>16 tone has changed. But if you believe that,</p> <p>17 with all due respect, my tone is not personal</p> <p>18 and it is not a personal attack. It has not</p> <p>19 been directed at you or anyone on this Board,</p> <p>20 sir.</p> <p>21 And I do have a question for the City</p> <p>22 Attorney now --</p> <p>23 ASSISTANT CITY ATTORNEY FRIEDMAN: Yes,</p> <p>24 ma'am.</p> <p>25 BOARD MEMBER MURADO: -- with respect to</p>

<p style="text-align: right;">Page 29</p> <p>1 proceeding.</p> <p>2 Procedurally if Ms. Pinon who is our Chair</p> <p>3 said that she was present and left, how is her</p> <p>4 vote going to be considered or not?</p> <p>5 ASSISTANT CITY ATTORNEY FRIEDMAN: If --</p> <p>6 if she is not present, she can't vote. So she</p> <p>7 would not be considered present. In -- in this</p> <p>8 case I think that it --</p> <p>9 You know, the Board's action right now</p> <p>10 should be to appoint a Vice Chair. And that</p> <p>11 Vice Chair would not just be for this meeting.</p> <p>12 It would be for all future meetings throughout</p> <p>13 the term or until the Board chooses to appoint</p> <p>14 a new Vice Chair.</p> <p>15 And that person could run the meeting in</p> <p>16 the absence of the Chair. And that's -- that's</p> <p>17 best practice. And that is I believe if -- if</p> <p>18 that was the -- the prior -- it just seems that</p> <p>19 our Vice Chair was -- is no longer on the Board</p> <p>20 so -- for whatever reason.</p> <p>21 But at this point that's -- that's the</p> <p>22 next course of action that -- that I will</p> <p>23 advise. So if someone has a motion or would</p> <p>24 like to make a motion to appoint someone Vice</p> <p>25 Chair, the Board can vote on that. And then</p>	<p style="text-align: right;">Page 30</p> <p>1 that person would be responsible for running</p> <p>2 the meeting.</p> <p>3 BOARD MEMBER MURADO: Thank you.</p> <p>4 BOARD MEMBER PEREZ: So my -- my question</p> <p>5 would be from a seniority perspective who has</p> <p>6 been here the longest? I -- I have been here</p> <p>7 since September.</p> <p>8 I know you just started and you just</p> <p>9 started. So that will be between Gus and --</p> <p>10 ZONING ADMINISTRATOR REDILA: Eugene.</p> <p>11 BOARD MEMBER PEREZ: -- Eugene.</p> <p>12 BOARD MEMBER WOLMAN: I defer to --</p> <p>13 BOARD MEMBER PEREZ: Not --</p> <p>14 BOARD MEMBER WOLMAN: -- experience.</p> <p>15 BOARD MEMBER PEREZ: Not to put you guys</p> <p>16 on the spot, but my recommendation, again, from</p> <p>17 a pure --</p> <p>18 BOARD MEMBER WOLMAN: No.</p> <p>19 BOARD MEMBER PEREZ: -- from a pure</p> <p>20 seniority perspective, I mean that will be my</p> <p>21 recommendation.</p> <p>22 BOARD MEMBER WOLMAN: He is closest to the</p> <p>23 gavel.</p> <p>24 BOARD MEMBER PEREZ: That would be my</p> <p>25 recommendation.</p>
<p style="text-align: right;">Page 31</p> <p>1 ASSISTANT CITY ATTORNEY FRIEDMAN: Both --</p> <p>2 both Mr. Wolman and Mr. Perez have served two</p> <p>3 terms on the Board -- on this Board. Gustave</p> <p>4 Perez and Eugene Wolman in terms of seniority</p> <p>5 those would be the -- the most senior</p> <p>6 individuals.</p> <p>7 If someone would like to move to appoint</p> <p>8 one of the individuals as Vice Chair and then</p> <p>9 the Board can vote or whomever. It's up to you</p> <p>10 all.</p> <p>11 BOARD MEMBER PEREZ: So I -- I would move</p> <p>12 to -- to -- to appoint Gustave Perez.</p> <p>13 BOARD MEMBER WOLMAN: I will second.</p> <p>14 ASSISTANT CITY ATTORNEY FRIEDMAN: Okay.</p> <p>15 ZONING ADMINISTRATOR REDILA: Do I call</p> <p>16 roll?</p> <p>17 ASSISTANT CITY ATTORNEY FRIEDMAN: Yeah.</p> <p>18 ZONING ADMINISTRATOR REDILA: Mr. Cabrera.</p> <p>19 BOARD MEMBER CABRERA: Yes.</p> <p>20 ZONING ADMINISTRATOR REDILA: Ms. Murado.</p> <p>21 BOARD MEMBER MURADO: Yes.</p> <p>22 ZONING ADMINISTRATOR REDILA: Mr. Perez.</p> <p>23 BOARD MEMBER PEREZ: Yes.</p> <p>24 ZONING ADMINISTRATOR REDILA: Mr. Wolman.</p> <p>25 BOARD MEMBER WOLMAN: Yes.</p>	<p style="text-align: right;">Page 32</p> <p>1 ZONING ADMINISTRATOR REDILA: Mr. Gustave</p> <p>2 Perez.</p> <p>3 VICE CHAIRPERSON PEREZ: Yes.</p> <p>4 ZONING ADMINISTRATOR REDILA: Okay.</p> <p>5 VICE CHAIRPERSON PEREZ: Thank you.</p> <p>6 ASSISTANT CITY ATTORNEY FRIEDMAN: So,</p> <p>7 Mr. Perez, you can -- you can take the -- the</p> <p>8 gavel and the -- you -- and it's -- it's your</p> <p>9 meeting, sir.</p> <p>10 VICE CHAIRPERSON PEREZ: Is this working?</p> <p>11 BOARD MEMBER MURADO: I think --</p> <p>12 VICE CHAIRPERSON PEREZ: Is the mic</p> <p>13 working? Yeah. Okay.</p> <p>14 ZONING ADMINISTRATOR REDILA: I was just</p> <p>15 informed that the previous Board Member was</p> <p>16 replaced by Mr. Nicolas Cabrera is no longer</p> <p>17 a --</p> <p>18 VICE CHAIRPERSON PEREZ: Thank you.</p> <p>19 THE COURT REPORTER: Of course.</p> <p>20 ZONING ADMINISTRATOR REDILA: -- resident</p> <p>21 of Coral Gables. That's what I --</p> <p>22 BOARD MEMBER MURADO: Thank you for</p> <p>23 answering that.</p> <p>24 ZONING ADMINISTRATOR REDILA: So let's</p> <p>25 proceed with the presentation of the Applicant.</p>



<p style="text-align: right;">Page 33</p> <p>1 MR. MESTRE: Thank you. Good morning,</p> <p>2 again.</p> <p>3 This item is a property located at 5200</p> <p>4 San Amaro Drive, Coral Gables. It's a corner</p> <p>5 that's located directly across the street from</p> <p>6 the University of Miami.</p> <p>7 Here you will see some pictures regarding</p> <p>8 the property. The owners of the house are</p> <p>9 Vince and Olga Lago. They have two small</p> <p>10 daughters.</p> <p>11 They purchased this house in 2011. What's</p> <p>12 important here is that there was no changes</p> <p>13 made by them to the structure of the house.</p> <p>14 The back yard, the -- the deck, the pool, none</p> <p>15 of that area has been changed by them at all.</p> <p>16 They ask for by them today is to reduce a</p> <p>17 north side setback from fifteen feet to ten</p> <p>18 feet in order to allow them to place a gazebo</p> <p>19 on the property.</p> <p>20 You see here this is a photograph</p> <p>21 depicting the back yard. The one on the right</p> <p>22 is facing northeast. This is the northeast</p> <p>23 corner of their back yard.</p> <p>24 The overlay -- that little orange overlay</p> <p>25 is where the gazebo would be placed. You can</p>	<p style="text-align: right;">Page 34</p> <p>1 see the one on the left is a photograph facing</p> <p>2 northeast. The other one is northwest. This</p> <p>3 is northeast showing where the gazebo would be</p> <p>4 located.</p> <p>5 This is what the gazebo will look like.</p> <p>6 It's a very simple structure with a little</p> <p>7 kitchen and a sitting area; nothing</p> <p>8 extravagant.</p> <p>9 In order to grant a variance the City Code</p> <p>10 has eight different standards that have to be</p> <p>11 met. Of those eight standards Staff has agreed</p> <p>12 that we meet four of them.</p> <p>13 That there is no special privilege that</p> <p>14 would be given to these owners if this is</p> <p>15 granted; that it will not change the use to one</p> <p>16 that's not permitted; that it will not be</p> <p>17 granting -- it will be granting something in</p> <p>18 harmony with the Code and not detrimental to</p> <p>19 public welfare and No. 8 that we agree is not</p> <p>20 applicable.</p> <p>21 So those four are already met according to</p> <p>22 Staff. It's the next four that we have a</p> <p>23 disagreement on. The first one, No. 1, is that</p> <p>24 special conditions or circumstances exist</p> <p>25 peculiar to this land.</p>
<p style="text-align: right;">Page 35</p> <p>1 And this is why I am telling you that it's</p> <p>2 important to note that since 2011 when the</p> <p>3 Lagos purchased this property no changes have</p> <p>4 been made to the back yard structure at all.</p> <p>5 If you see here you will see where on the</p> <p>6 left side of the photograph it says proposed</p> <p>7 gazebo. You see it -- going in there you see</p> <p>8 the deck and you see the pool.</p> <p>9 On the bottom which is the south side of</p> <p>10 the house, there is a -- a room that extends</p> <p>11 into the back yard. So this back yard doesn't</p> <p>12 have a normal -- a rectangular back yard as</p> <p>13 most -- as a lot of the properties do.</p> <p>14 You will see that there is no space there</p> <p>15 on the south side of the pool to do it. There</p> <p>16 is no space on the left side of the pool which</p> <p>17 is the east side of the back yard to put the</p> <p>18 gazebo.</p> <p>19 So we are left -- on the right-hand side</p> <p>20 is where the house is. So obviously we can't</p> <p>21 put it there. So the alternative is which they</p> <p>22 are proposing is to put it on the north side of</p> <p>23 the property.</p> <p>24 You will see that there is an area between</p> <p>25 the gazebo and -- and the edge of the pool --</p>	<p style="text-align: right;">Page 36</p> <p>1 the north edge of the pool which is what they</p> <p>2 are trying to maximize.</p> <p>3 They are trying to maximize the usable</p> <p>4 space in this back yard. So being as there is</p> <p>5 no other alternative than to put it on the</p> <p>6 north side we believe that there is special</p> <p>7 conditions and circumstances peculiar to this</p> <p>8 property that do not exist on --</p> <p>9 No. 2 is that the special conditions and</p> <p>10 circumstances are not the result of actions of</p> <p>11 the Applicant.</p> <p>12 Again, this is where I told you back yard</p> <p>13 is in the same configuration. The structure of</p> <p>14 the house is in the same configuration. The</p> <p>15 deck is in the same configuration. The pool is</p> <p>16 in the same configuration. Nothing has been</p> <p>17 changed by the Lagos on this property to create</p> <p>18 this issue.</p> <p>19 No. 4 of your Code says that the literal</p> <p>20 interpretation of the Code will deprive the</p> <p>21 Lagos of rights commonly enjoyed by other</p> <p>22 properties.</p> <p>23 Here it's obviously common sense that</p> <p>24 there are other properties that have gazebo.</p> <p>25 And really they ask here is for a five foot</p>

<p style="text-align: right;">Page 37</p> <p>1 difference.</p> <p>2 To them that five foot represents an extra</p> <p>3 140 feet of deck space for their two little</p> <p>4 girls to be able to play.</p> <p>5 To them it's the difference between being</p> <p>6 able to put a dollhouse up there or if we have</p> <p>7 to put the five feet behind the gazebo now it's</p> <p>8 just dead space. It's behind their. Nobody is</p> <p>9 going to use. It's just a waste of space on</p> <p>10 their property.</p> <p>11 And the last standard is that the variance</p> <p>12 is the minimum variance to make possible the</p> <p>13 use of the land, building, structure. As I</p> <p>14 said before if this variance is granted, they</p> <p>15 will be able to use the space for their girls</p> <p>16 and for their deck.</p> <p>17 If it is not, it's going to be dead space</p> <p>18 somewhere behind a possibly another gazebo that</p> <p>19 they -- they come up with. As I said it's only</p> <p>20 five feet. It's not a huge thing.</p> <p>21 Last time I handed out copies of this</p> <p>22 petition. My understanding is that you have</p> <p>23 not been given this. So I only have two, but I</p> <p>24 would like to pass them around if possible.</p> <p>25 ZONING ADMINISTRATOR REDILA: It -- it was</p>	<p style="text-align: right;">Page 38</p> <p>1 part of the record. It is posted online. If</p> <p>2 it is the same thing the neighbors --</p> <p>3 MR. MESTRE: Yeah. It's the same one.</p> <p>4 ZONING ADMINISTRATOR REDILA: -- the</p> <p>5 neighbors signed?</p> <p>6 MR. MESTRE: Yes. It's the same letter.</p> <p>7 So I -- I just want to make sure that you</p> <p>8 have it. These are the signatures of the</p> <p>9 neighbors to this property. Every single</p> <p>10 adjoining member, people that will have on the</p> <p>11 side, people on the other side, people</p> <p>12 behind -- everyone has signed this petition</p> <p>13 saying that it is okay to approve this. That</p> <p>14 it is not -- they are not against it. They</p> <p>15 are -- they are for it.</p> <p>16 BOARD MEMBER MURADO: May I ask a</p> <p>17 question?</p> <p>18 MR. MESTRE: Yes.</p> <p>19 BOARD MEMBER MURADO: Of those that have</p> <p>20 signed the petition are they all the</p> <p>21 homeowners --</p> <p>22 MR. MESTRE: Yes, they have.</p> <p>23 BOARD MEMBER MURADO: -- have owned the</p> <p>24 property?</p> <p>25 MR. MESTRE: Yes, ma'am.</p>
<p style="text-align: right;">Page 39</p> <p>1 BOARD MEMBER MURADO: Does Anthony Dau own</p> <p>2 property behind 5200 San Amaro Drive?</p> <p>3 MR. MESTRE: I don't know if it's on</p> <p>4 there, but I know that it was signed by the</p> <p>5 people -- my -- my understanding was that it</p> <p>6 was the homeowners.</p> <p>7 BOARD MEMBER MURADO: Your --</p> <p>8 MR. MESTRE: That's --</p> <p>9 BOARD MEMBER MURADO: Your understanding</p> <p>10 is that it's -- Anthony Dau is the homeowner?</p> <p>11 MR. MESTRE: I don't know who the</p> <p>12 homeowner is. I don't know.</p> <p>13 BOARD MEMBER MURADO: Well, you just said</p> <p>14 that the people that signed are the</p> <p>15 homeowners -- the property owners.</p> <p>16 MR. MESTRE: That is my understanding.</p> <p>17 But it -- it's not -- it sounds like you may</p> <p>18 have other information so I don't want to guess</p> <p>19 or -- or say something that's wrong.</p> <p>20 BOARD MEMBER MURADO: According to the</p> <p>21 Miami-Dade Property Appraisal Anthony Dau is</p> <p>22 not the owner of the property. He is the one</p> <p>23 directly behind San Amaro.</p> <p>24 His mailing address is in California. And</p> <p>25 he lives -- his physical address is in Biscayne</p>	<p style="text-align: right;">Page 40</p> <p>1 Boulevard. And I have a copy of that if you</p> <p>2 would like. I just want to put it on the</p> <p>3 record --</p> <p>4 BOARD MEMBER CABRERA: Okay.</p> <p>5 BOARD MEMBER MURADO: -- to be clear.</p> <p>6 MR. MESTRE: Understood. Thank you.</p> <p>7 These are photographs of the outside of</p> <p>8 the property facing where the gazebo would be.</p> <p>9 It would be behind these bushes right here.</p> <p>10 All the photographs showing -- depicting the</p> <p>11 same thing.</p> <p>12 So as Staff told you we were here before</p> <p>13 back in September. There was a motion to</p> <p>14 approve it. It was voted three in favor, one</p> <p>15 against.</p> <p>16 So we respectfully ask you today to</p> <p>17 recommend approval of this property. I would</p> <p>18 be happy to answer any questions that you may</p> <p>19 have.</p> <p>20 Is Staff going to present?</p> <p>21 ZONING ADMINISTRATOR REDILA: Mr. Chair.</p> <p>22 ASSISTANT CITY ATTORNEY FRIEDMAN:</p> <p>23 Mr. Chair, would you like Staff to begin the</p> <p>24 presentation?</p> <p>25 VICE CHAIRPERSON PEREZ: I didn't hear</p>

<p style="text-align: right;">Page 41</p> <p>1 you. I am sorry.</p> <p>2 ASSISTANT CITY ATTORNEY FRIEDMAN: I said</p> <p>3 would -- would you like Staff to begin their</p> <p>4 presentation?</p> <p>5 VICE CHAIRPERSON PEREZ: I didn't bring my</p> <p>6 hearing aids and I don't hear well. So I</p> <p>7 couldn't --</p> <p>8 BOARD MEMBER PEREZ: Do you want Staff to</p> <p>9 start the recommendation --</p> <p>10 VICE CHAIRPERSON PEREZ: Yes.</p> <p>11 BOARD MEMBER PEREZ: -- get the other --</p> <p>12 ZONING ADMINISTRATOR REDILA: Yeah.</p> <p>13 BOARD MEMBER PEREZ: -- the presentation?</p> <p>14 ASSISTANT CITY ATTORNEY FRIEDMAN: Please</p> <p>15 --</p> <p>16 VICE CHAIRPERSON PEREZ: Yeah.</p> <p>17 ASSISTANT CITY ATTORNEY FRIEDMAN: Please</p> <p>18 proceed.</p> <p>19 ZONING ADMINISTRATOR REDILA: Good morning</p> <p>20 again. For the record Arceli Redila, Zoning</p> <p>21 Administrator Development Services.</p> <p>22 So as the Applicant already stated this is</p> <p>23 a variance for a gazebo asking ten feet where</p> <p>24 the required setback is fifteen feet. The</p> <p>25 subject site is 5200 San Amaro Drive. It is</p>	<p style="text-align: right;">Page 42</p> <p>1 approximately eleven thousand square feet. And</p> <p>2 then it is located in a corner lot as you can</p> <p>3 see. It is platted east/west which is a</p> <p>4 different configuration in their section.</p> <p>5 There is an aerial. There is the gazebo</p> <p>6 that they are proposing two hundred fifty</p> <p>7 square feet. Gazebo is considered an accessory</p> <p>8 structure in single-family home.</p> <p>9 As already stated the Zoning Code requires</p> <p>10 it to be 15 feet. And here is what the</p> <p>11 Applicant is proposing. Ten feet on Urbino</p> <p>12 Avenue.</p> <p>13 Staff is not recommending approval of this</p> <p>14 application. We have worked with the</p> <p>15 Applicant, have a lot of conversation, have a</p> <p>16 lot of suggestion.</p> <p>17 With regards to platting this is in a</p> <p>18 corner lot. The typical configuration on that</p> <p>19 north section on San Amaro Drive that Staff</p> <p>20 does not find that as a special permission.</p> <p>21 And that the gazebo could be designed in a</p> <p>22 way where it can put -- be pushed back a little</p> <p>23 bit to the pool or it could maximize the ten</p> <p>24 feet setback on the -- towards -- towards the</p> <p>25 west because the setback there is ten feet.</p>
<p style="text-align: right;">Page 43</p> <p>1 The neighbor immediately to the west would</p> <p>2 be required 25 feet setback because that is</p> <p>3 their front. In this case the gazebo is</p> <p>4 required fifteen because here it is considered</p> <p>5 a side street so ten feet versus</p> <p>6 twenty-five feet.</p> <p>7 So Staff does not find that a special</p> <p>8 condition has -- that it does not meet all the</p> <p>9 criteria so Staff does not recommend. If you</p> <p>10 have any question --</p> <p>11 BOARD MEMBER PEREZ: I have a question.</p> <p>12 There is a private wall already installed.</p> <p>13 Right?</p> <p>14 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>15 BOARD MEMBER PEREZ: Technically isn't</p> <p>16 that a structure?</p> <p>17 ZONING ADMINISTRATOR REDILA: A wall,</p> <p>18 fence is -- is considered to -- is allowed to</p> <p>19 be on property line.</p> <p>20 BOARD MEMBER PEREZ: But --</p> <p>21 ZONING ADMINISTRATOR REDILA: Walls and</p> <p>22 fences.</p> <p>23 BOARD MEMBER PEREZ: But a wall is a</p> <p>24 structure by definition.</p> <p>25 Right?</p>	<p style="text-align: right;">Page 44</p> <p>1 ZONING ADMINISTRATOR REDILA: Yeah. Wall</p> <p>2 is a structure, but it could be --</p> <p>3 BOARD MEMBER PEREZ: So --</p> <p>4 ZONING ADMINISTRATOR REDILA: It's</p> <p>5 actually --</p> <p>6 BOARD MEMBER PEREZ: -- at --</p> <p>7 ZONING ADMINISTRATOR REDILA: -- required</p> <p>8 if you have a pool that is visible on the -- on</p> <p>9 the street it is required to have a four foot</p> <p>10 wall.</p> <p>11 BOARD MEMBER PEREZ: So you could bring a</p> <p>12 structure to the property line if it's a wall?</p> <p>13 ZONING ADMINISTRATOR REDILA: No. Only</p> <p>14 wall and fences could be on property line, but</p> <p>15 not those typical structures that we have.</p> <p>16 Like a gazebo, a trellis or any extension of</p> <p>17 the house those needs to be in line --</p> <p>18 BOARD MEMBER PEREZ: So --</p> <p>19 ZONING ADMINISTRATOR REDILA: -- with</p> <p>20 the --</p> <p>21 BOARD MEMBER PEREZ: So the wall --</p> <p>22 ZONING ADMINISTRATOR REDILA: -- required</p> <p>23 setback.</p> <p>24 BOARD MEMBER PEREZ: So the wall that's</p> <p>25 there -- I am not sure it was permitted,</p>

<p style="text-align: right;">Page 45</p> <p>1        though, way back when.</p> <p>2        The wall that is currently there is not</p> <p>3        encroaching?</p> <p>4        ZONING ADMINISTRATOR REDILA: No. No.</p> <p>5        Walls and fences could be on property lines.</p> <p>6        There is no setback for those walls.</p> <p>7        BOARD MEMBER PEREZ: Okay.</p> <p>8        ZONING ADMINISTRATOR REDILA: No setback</p> <p>9        requirements.</p> <p>10       BOARD MEMBER PEREZ: And so the front --</p> <p>11       the front of the home is facing San Amaro.</p> <p>12       Right?</p> <p>13       ZONING ADMINISTRATOR REDILA: Yes.</p> <p>14       BOARD MEMBER PEREZ: So technically they</p> <p>15       have --</p> <p>16       ZONING ADMINISTRATOR REDILA: They have</p> <p>17       25.</p> <p>18       BOARD MEMBER PEREZ: They have twenty-five</p> <p>19       in the front. Their side setback is north and</p> <p>20       south. And their rear is the west.</p> <p>21       Correct?</p> <p>22       ZONING ADMINISTRATOR REDILA: Yes.</p> <p>23       BOARD MEMBER PEREZ: So right now their</p> <p>24       other side setback is the -- what's the</p> <p>25       furthest point to the southern property line?</p>	<p style="text-align: right;">Page 46</p> <p>1       Is that five feet?</p> <p>2       ZONING ADMINISTRATOR REDILA: Are you</p> <p>3       talking about this side --</p> <p>4       BOARD MEMBER PEREZ: No. No. No.</p> <p>5       ZONING ADMINISTRATOR REDILA: -- over</p> <p>6       here?</p> <p>7       BOARD MEMBER PEREZ: Where -- where it --</p> <p>8       where -- where it carves out the most. No.</p> <p>9       No. Yeah. You are right. Just further --</p> <p>10       ZONING ADMINISTRATOR REDILA: Right here?</p> <p>11       BOARD MEMBER PEREZ: No. No. That little</p> <p>12       jog. There.</p> <p>13       ZONING ADMINISTRATOR REDILA: Right here.</p> <p>14       MR. MESTRE: Looks like six something.</p> <p>15       ZONING ADMINISTRATOR REDILA: Maybe six,</p> <p>16       but it is -- it's still considered -- it is</p> <p>17       still meeting the setback.</p> <p>18       Because now the setback on the minimum</p> <p>19       would be fifteen. And then the maximum setback</p> <p>20       if it had -- side setback requires is</p> <p>21       20 percent of your -- of your width -- street</p> <p>22       width.</p> <p>23       So that's fifteen and they could have five</p> <p>24       on the south side. That's fine.</p> <p>25       BOARD MEMBER PEREZ: So they have five on</p>
<p style="text-align: right;">Page 47</p> <p>1       the southern -- currently right now they have a</p> <p>2       five foot setback?</p> <p>3       ZONING ADMINISTRATOR REDILA: On -- based</p> <p>4       on that, yes. That's -- that's meeting the</p> <p>5       requirements. It's fine. Because they still</p> <p>6       took out twenty -- twenty feet. The maximum</p> <p>7       you could have for side setbacks is ten feet.</p> <p>8       BOARD MEMBER PEREZ: The maximum is</p> <p>9       twenty?</p> <p>10       ZONING ADMINISTRATOR REDILA: Yes.</p> <p>11       BOARD MEMBER PEREZ: So if they get five</p> <p>12       and ten, that's fifteen.</p> <p>13       ZONING ADMINISTRATOR REDILA: No. It's --</p> <p>14       here is -- here is -- here is 25 and there is</p> <p>15       5 feet.</p> <p>16       BOARD MEMBER PEREZ: Yeah. But the --</p> <p>17       ZONING ADMINISTRATOR REDILA: They</p> <p>18       would --</p> <p>19       BOARD MEMBER PEREZ: -- the home is</p> <p>20       existing. That part of the home that jogs</p> <p>21       out --</p> <p>22       ZONING ADMINISTRATOR REDILA: Yes.</p> <p>23       BOARD MEMBER PEREZ: -- it's -- you told</p> <p>24       me is five feet.</p> <p>25       ZONING ADMINISTRATOR REDILA: It could be</p>	<p style="text-align: right;">Page 48</p> <p>1       five if it's -- it could be five --</p> <p>2       BOARD MEMBER PEREZ: It could be not.</p> <p>3       ZONING ADMINISTRATOR REDILA: -- feet.</p> <p>4       BOARD MEMBER PEREZ: The home -- the home</p> <p>5       exists if it's there.</p> <p>6       ZONING ADMINISTRATOR REDILA: Yes.</p> <p>7       BOARD MEMBER PEREZ: So it's a five foot</p> <p>8       setback. So if you are telling me that maximum</p> <p>9       is 20 --</p> <p>10       ZONING ADMINISTRATOR REDILA: Yes.</p> <p>11       BOARD MEMBER PEREZ: -- if I get five plus</p> <p>12       ten, that's 15.</p> <p>13       ZONING ADMINISTRATOR REDILA: Yes.</p> <p>14       BOARD MEMBER PEREZ: They are not</p> <p>15       surpassing the 20.</p> <p>16       ZONING ADMINISTRATOR REDILA: Yes.</p> <p>17       BOARD MEMBER PEREZ: You are not following</p> <p>18       me.</p> <p>19       ZONING ADMINISTRATOR REDILA: It's -- this</p> <p>20       is not the issue that we are talking about. We</p> <p>21       are not talking about the existing house. We</p> <p>22       are not touching -- we are not --</p> <p>23       BOARD MEMBER PEREZ: I am --</p> <p>24       ZONING ADMINISTRATOR REDILA: But you are</p> <p>25       asking on the --</p>

<p style="text-align: right;">Page 49</p> <p>1 BOARD MEMBER PEREZ: I am talking --</p> <p>2 ZONING ADMINISTRATOR REDILA: -- existing</p> <p>3 house --</p> <p>4 BOARD MEMBER PEREZ: -- from a -- from a</p> <p>5 pure planning -- from an esthetic perspective</p> <p>6 the home has a five foot -- if you are looking</p> <p>7 at the home from the front.</p> <p>8 ZONING ADMINISTRATOR REDILA: Okay. From</p> <p>9 San Amaro Drive --</p> <p>10 BOARD MEMBER PEREZ: Correct.</p> <p>11 ZONING ADMINISTRATOR REDILA: -- looking</p> <p>12 west?</p> <p>13 BOARD MEMBER PEREZ: You have a five foot</p> <p>14 setback to your left.</p> <p>15 ZONING ADMINISTRATOR REDILA: Okay.</p> <p>16 BOARD MEMBER PEREZ: You have a ten to</p> <p>17 your -- your right.</p> <p>18 ZONING ADMINISTRATOR REDILA: Right now</p> <p>19 it's 25.</p> <p>20 BOARD MEMBER PEREZ: But they are -- you</p> <p>21 are requesting a ten.</p> <p>22 ZONING ADMINISTRATOR REDILA: For the</p> <p>23 gazebo.</p> <p>24 BOARD MEMBER PEREZ: Correct. So --</p> <p>25 ZONING ADMINISTRATOR REDILA: For the</p>	<p style="text-align: right;">Page 50</p> <p>1 gazebo.</p> <p>2 BOARD MEMBER PEREZ: -- from a planning</p> <p>3 perspective even if we grant the ten, wouldn't</p> <p>4 you say that esthetically it -- it would still</p> <p>5 look?</p> <p>6 ZONING ADMINISTRATOR REDILA: The</p> <p>7 entire -- the entire house going west is --</p> <p>8 needs to go by 25 feet.</p> <p>9 BOARD MEMBER PEREZ: Okay. But we are</p> <p>10 talking about a side setback.</p> <p>11 ZONING ADMINISTRATOR REDILA: Okay.</p> <p>12 BOARD MEMBER PEREZ: We are talking about</p> <p>13 the side setback to Urbino.</p> <p>14 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>15 BOARD MEMBER PEREZ: It's -- that's what</p> <p>16 we are talking about.</p> <p>17 ZONING ADMINISTRATOR REDILA: But the</p> <p>18 requirement is fifteen feet. And they are --</p> <p>19 they are providing ten.</p> <p>20 BOARD MEMBER CABRERA: You -- you are --</p> <p>21 you are trying to look at it from an esthetic</p> <p>22 perspective.</p> <p>23 BOARD MEMBER PEREZ: Right.</p> <p>24 BOARD MEMBER CABRERA: Right?</p> <p>25 BOARD MEMBER PEREZ: Yeah.</p>
<p style="text-align: right;">Page 51</p> <p>1 BOARD MEMBER CABRERA: So if you are</p> <p>2 looking at the house from the front from San</p> <p>3 Amaro, if you are looking to the left you have</p> <p>4 five feet.</p> <p>5 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>6 BOARD MEMBER CABRERA: With the gazebo if</p> <p>7 the gazebo is to be approved --</p> <p>8 ZONING ADMINISTRATOR REDILA: Uh-huh.</p> <p>9 BOARD MEMBER CABRERA: -- he is going to</p> <p>10 have ten esthetically it doesn't look that off.</p> <p>11 ZONING ADMINISTRATOR REDILA: I am not</p> <p>12 here for esthetics. I am --</p> <p>13 BOARD MEMBER CABRERA: I know that.</p> <p>14 ZONING ADMINISTRATOR REDILA: -- to go by</p> <p>15 the criteria --</p> <p>16 BOARD MEMBER CABRERA: For --</p> <p>17 ZONING ADMINISTRATOR REDILA: -- for --</p> <p>18 BOARD MEMBER CABRERA: For our</p> <p>19 perspectives esthetically --</p> <p>20 ZONING ADMINISTRATOR REDILA: That's only</p> <p>21 why it's approved by -- it went to Board of</p> <p>22 Architects. But for mine --</p> <p>23 BOARD MEMBER PEREZ: And the Board --</p> <p>24 ZONING ADMINISTRATOR REDILA: -- it needed</p> <p>25 to go.</p>	<p style="text-align: right;">Page 52</p> <p>1 BOARD MEMBER PEREZ: So this already went</p> <p>2 to the Board of Architects?</p> <p>3 ZONING ADMINISTRATOR REDILA: This went to</p> <p>4 Board of Architects. Yes.</p> <p>5 BOARD MEMBER PEREZ: And what was the</p> <p>6 outcome?</p> <p>7 ZONING ADMINISTRATOR REDILA: They</p> <p>8 approved it.</p> <p>9 BOARD MEMBER PEREZ: Okay.</p> <p>10 ZONING ADMINISTRATOR REDILA: For</p> <p>11 esthetics purposes.</p> <p>12 BOARD MEMBER PEREZ: Okay. I am still not</p> <p>13 following -- because you told me maximum was</p> <p>14 20.</p> <p>15 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>16 Maximum is 20.</p> <p>17 BOARD MEMBER PEREZ: And we are below</p> <p>18 twenty.</p> <p>19 ZONING ADMINISTRATOR REDILA: But -- but</p> <p>20 on the street side -- they are required to have</p> <p>21 15 on the street side.</p> <p>22 BOARD MEMBER PEREZ: So it's --</p> <p>23 ZONING ADMINISTRATOR REDILA: If --</p> <p>24 BOARD MEMBER PEREZ: So it's not the</p> <p>25 aggregate. If I -- if I get five, plus ten</p>

<p style="text-align: right;">Page 53</p> <p>1 fifteen -- so it's not -- it's not a  2 combination. It's -- it's maximum per side is  3 what you are telling me.  4 ZONING ADMINISTRATOR REDILA: It's -- it's  5 ten, ten, five, fifteen. But on -- if you are  6 on a corner lot and you have a street side  7 regardless of what's on your side you have to  8 abide by the fifteen feet on the street side.  9 That's why we are here. It wouldn't be a  10 variance or if like -- you are just calculating  11 it that way.  12 BOARD MEMBER CABRERA: It -- it applies  13 per side. It's not an addition of all of the  14 sides.  15 ZONING ADMINISTRATOR REDILA: On the --  16 BOARD MEMBER CABRERA: I understand.  17 ZONING ADMINISTRATOR REDILA: -- street  18 side it's mandatory that you have fifteen.  19 BOARD MEMBER CABRERA: Okay.  20 ZONING ADMINISTRATOR REDILA: Yes.  21 BOARD MEMBER CABRERA: Did that answer  22 your question?  23 BOARD MEMBER PEREZ: Yeah.  24 BOARD MEMBER CABRERA: Okay.  25 BOARD MEMBER MURADO: I have a question.</p>	<p style="text-align: right;">Page 54</p> <p>1 What -- what is the standard for granting  2 variance according to our Zoning Code?  3 ZONING ADMINISTRATOR REDILA: As it is --  4 as it is stated in the Staff's report analysis  5 there are eight criteria that they have to  6 meet.  7 First is that --  8 BOARD MEMBER MURADO: Great.  9 ZONING ADMINISTRATOR REDILA: -- there is  10 a special condition. The second one is that  11 the special condition does -- do not result  12 from the actions of the Applicant. And No. 3  13 is that granting the variance requested will  14 not confer on the Applicant a special  15 privilege.  16 No. 4 the -- as it is in your Staff  17 report, there are eight. And based on Staff's  18 analysis it does not meet all. It needs to  19 meet all the criteria for it to be.  20 BOARD MEMBER MURADO: According to 14 --  21 Section 14-207 of the Code -- and correct me if  22 I am wrong Counsel and City Attorney. And it  23 says: "Variances are granted where there are  24 practical difficulties or unnecessary and undue  25 hardship."</p>
<p style="text-align: right;">Page 55</p> <p>1 Is that the standard?  2 MR. MESTRE: I am looking at Section  3 14-207 which is the eight standards for  4 variances which are the ones that Staff just --  5 just spoke about.  6 BOARD MEMBER MURADO: Thank you.  7 VICE CHAIRPERSON PEREZ: I have a  8 question. Out of the eight looking at it I  9 think that the Staff did not recommend it.  10 ZONING ADMINISTRATOR REDILA: Yes.  11 Staff --  12 VICE CHAIRPERSON PEREZ: Okay.  13 ZONING ADMINISTRATOR REDILA: -- is not  14 recommending --  15 VICE CHAIRPERSON PEREZ: That was the  16 finding --  17 ZONING ADMINISTRATOR REDILA: -- approval.  18 VICE CHAIRPERSON PEREZ: -- from the Staff  19 and you don't -- and -- so which is one, two  20 and four is not --  21 ZONING ADMINISTRATOR REDILA: Yes.  22 VICE CHAIRPERSON PEREZ: -- does not meet  23 that standard. Eight is not applicable.  24 ZONING ADMINISTRATOR REDILA: Yes.  25 VICE CHAIRPERSON PEREZ: Okay. So after</p>	<p style="text-align: right;">Page 56</p> <p>1 eight we got seven. And the Staff went no on  2 one, two and three. So we have -- you don't --  3 we don't --  4 You don't have a consensus of -- as far as  5 the Staff is concerned. And you -- you did all  6 the paperwork, all the findings that not to  7 approve as I understand it.  8 ZONING ADMINISTRATOR REDILA: Yes.  9 That's -- that's Staff's recommendation. And  10 of course, the Board can always have a  11 discussion based on all the evidence presented  12 to you before today.  13 And the Board can decide. It's just  14 Staff's analysis and recommendation on the  15 application.  16 VICE CHAIRPERSON PEREZ: I know. The  17 Board Members can go against what the Staff  18 recommends or they can go ahead and follow  19 through and not -- not recommend based on the  20 Staff presentation.  21 BOARD MEMBER CABRERA: May I?  22 VICE CHAIRPERSON PEREZ: That's correct?  23 BOARD MEMBER CABRERA: My apologies. Go  24 ahead. I -- I thought you were finished.  25 Continue.</p>

<p style="text-align: right;">Page 57</p> <p>1 VICE CHAIRPERSON PEREZ: No. I am 2 finished. I am asking the City Attorney: Is 3 that correct? 4 ASSISTANT CITY ATTORNEY FRIEDMAN: Yes. 5 Yes, sir. The -- the Board has three -- three 6 options: It can grant, it can grant with 7 conditions or it can deny. 8 VICE CHAIRPERSON PEREZ: Okay. Thank you. 9 BOARD MEMBER CABRERA: At the previous 10 meeting this was approved although no action 11 was taken because there was not a super 12 majority is my understanding. 13 ASSISTANT CITY ATTORNEY FRIEDMAN: No 14 action was taken at the previous meeting. 15 BOARD MEMBER CABRERA: Nonetheless, that 16 majority three of the five or the four that 17 were present did approve the item. And in 18 reading the minutes -- let me see because the 19 minutes are here. 20 Mr. Mestre, there were some reasons as to 21 why the placement of the gazebo of where it's 22 being suggested was suggested? 23 Are you able to kind of go over that again 24 for the new members of this Board as to why the 25 gazebo that's being suggested to be placed in</p>	<p style="text-align: right;">Page 58</p> <p>1 this area? 2 MR. MESTRE: It's -- it's -- as I said in 3 my presentation it's really the only feasible 4 area. On the east side of the property there 5 is not enough space between the pool and the 6 fence. 7 On the south side of the property is where 8 the -- the house extends. There is not enough 9 space between the house and the fence or the 10 house and the pool. 11 On the east side is where the house is. 12 So there is no place to put it. So the only 13 place that you could put it is on the north 14 side of the pool. 15 So there it becomes an issue of do we try 16 to maximize usable space which would be putting 17 it all together or do we have to cut it up and 18 put part of it behind the gazebo and part of it 19 in front of the gazebo which makes the part 20 behind it totally useless. 21 So it's -- it's the five feet. And as I 22 said before it's an extra one hundred forty 23 feet -- square feet of usable space that they 24 are going to be able to -- to get on this 25 property.</p>
<p style="text-align: right;">Page 59</p> <p>1 BOARD MEMBER PEREZ: And -- and I am 2 sorry. If you were to shift it five feet 3 towards the pool if I understood you, that's 4 not allowed. 5 ZONING ADMINISTRATOR REDILA: It's 6 allowed. It's what Staff -- it's what Staff is 7 recommending. 8 BOARD MEMBER PEREZ: Got it. 9 BOARD MEMBER CABRERA: But -- but what he 10 was saying is that that's the five feet that 11 becomes unusable. 12 Is that correct? 13 MR. MESTRE: Yeah. Because then instead 14 of having the five feet of additional deck 15 space, now you are going to have five feet 16 behind the gazebo. 17 So you are going to have a very small 18 space between the wall on the north side and 19 the actual back of the gazebo. 20 VICE CHAIRPERSON PEREZ: Is -- 21 BOARD MEMBER CABRERA: Thank you for 22 the -- 23 VICE CHAIRPERSON PEREZ: Is -- 24 BOARD MEMBER CABRERA: -- clarification. 25 VICE CHAIRPERSON PEREZ: Is the use of the</p>	<p style="text-align: right;">Page 60</p> <p>1 swimming pool not allowed because you don't 2 have the gazebo? You have to have a gazebo to 3 use the pool or not? 4 MR. MESTRE: No. They -- they bought the 5 house in 2011. So they use the pool. And 6 the -- 7 VICE CHAIRPERSON PEREZ: Okay. 8 MR. MESTRE: -- pool was there. The deck 9 was there. The back wall was there. The 10 driveway was there. The structure of the house 11 is the same. 12 Just that now they would like to add the 13 gazebo in order to maximize the use of the back 14 yard. 15 VICE CHAIRPERSON PEREZ: Right. So -- 16 MR. MESTRE: They -- they are here. 17 VICE CHAIRPERSON PEREZ: Okay. For their 18 personal use, for the children, whatever. But 19 if the gazebo is not compliant with the current 20 law of the Building and Zoning Department, then 21 due diligence maybe should have been done when 22 they bought the property to find out if they 23 could do this or not. 24 MR. MESTRE: Well, I don't -- I don't -- I 25 don't know. Maybe they were thinking about it.</p>

<p style="text-align: right;">Page 61</p> <p>1 Maybe they weren't. But here -- here we are 14</p> <p>2 years later.</p> <p>3 VICE CHAIRPERSON PEREZ: Right.</p> <p>4 MR. MESTRE: And they are coming before</p> <p>5 you to -- to --</p> <p>6 VICE CHAIRPERSON PEREZ: Right.</p> <p>7 MR. MESTRE: -- to do it the right way.</p> <p>8 They would like to do --</p> <p>9 VICE CHAIRPERSON PEREZ: The thing is it's</p> <p>10 not here. I was in this Board before like six</p> <p>11 years.</p> <p>12 And there is a lot of people that come to</p> <p>13 request things and we don't issue it. So, you</p> <p>14 know, needs that are not necessarily have to be</p> <p>15 met like that is what I am saying.</p> <p>16 MR. MESTRE: And --</p> <p>17 VICE CHAIRPERSON PEREZ: That's my</p> <p>18 concern. We set a precedent.</p> <p>19 MR. MESTRE: And -- and -- well, I -- I</p> <p>20 think the -- the Staff will tell you and I</p> <p>21 think the City Attorney will tell you. That</p> <p>22 each -- each request has to stand on its own</p> <p>23 merits --</p> <p>24 VICE CHAIRPERSON PEREZ: Yes.</p> <p>25 MR. MESTRE: -- not because of somebody</p>	<p style="text-align: right;">Page 62</p> <p>1 else.</p> <p>2 VICE CHAIRPERSON PEREZ: Yes.</p> <p>3 MR. MESTRE: And regarding the elements,</p> <p>4 the eight standards the City's position --</p> <p>5 Staff's position is that it doesn't comply.</p> <p>6 Our position is that it does comply --</p> <p>7 VICE CHAIRPERSON PEREZ: Right.</p> <p>8 MR. MESTRE: -- based on what's there now,</p> <p>9 what we have done and what we are asking.</p> <p>10 VICE CHAIRPERSON PEREZ: I understand</p> <p>11 that. The part that I want to make sure is</p> <p>12 understood is the Staff has done the research.</p> <p>13 And they come back to with their presentation</p> <p>14 and they do not believe that this should be</p> <p>15 granted.</p> <p>16 MR. MESTRE: Correct.</p> <p>17 VICE CHAIRPERSON PEREZ: That's what is</p> <p>18 denied. Otherwise, they would have approved</p> <p>19 it. So basically that's -- I want to make sure</p> <p>20 it's understood also.</p> <p>21 MR. MESTRE: And -- and that's -- that's</p> <p>22 why you are here. And that's why this Board</p> <p>23 is -- is so important. And that's -- that's</p> <p>24 your -- that's your call.</p> <p>25 I just want you to understand. Because at</p>
<p style="text-align: right;">Page 63</p> <p>1 the last hearing I did speak with the person</p> <p>2 that voted against. And they told me that</p> <p>3 their position is always that Staff -- they</p> <p>4 have to follow Staff's recommendation.</p> <p>5 VICE CHAIRPERSON PEREZ: That's not true.</p> <p>6 MR. MESTRE: And that's not -- that's not</p> <p>7 the case.</p> <p>8 VICE CHAIRPERSON PEREZ: That's not true.</p> <p>9 We have gone against the Staff more than once</p> <p>10 six years ago and I think now we have.</p> <p>11 MR. MESTRE: Correct.</p> <p>12 VICE CHAIRPERSON PEREZ: So --</p> <p>13 MR. MESTRE: That's -- that's your job.</p> <p>14 That's what you are here for.</p> <p>15 VICE CHAIRPERSON PEREZ: Right.</p> <p>16 BOARD MEMBER CABRERA: What's most</p> <p>17 important to me on this item is Standard No. 7</p> <p>18 which is the effect to the public welfare. And</p> <p>19 as per Staff's recommendation it does meet the</p> <p>20 standard required for authorization of variance</p> <p>21 based off this standard because it will not be</p> <p>22 detrimental to the public welfare. Is that</p> <p>23 correct?</p> <p>24 ASSISTANT CITY ATTORNEY FRIEDMAN: The --</p> <p>25 the -- the standards are taken together. So</p>	<p style="text-align: right;">Page 64</p> <p>1 there is -- there are eight standards. And --</p> <p>2 BOARD MEMBER CABRERA: Right.</p> <p>3 ASSISTANT CITY ATTORNEY FRIEDMAN: -- it</p> <p>4 should meet all eight. As the Chair pointed</p> <p>5 out this is not a historic property so eight</p> <p>6 wouldn't apply. So I believe -- I mean, I</p> <p>7 would defer to Staff on what their</p> <p>8 recommendation is.</p> <p>9 ZONING ADMINISTRATOR REDILA: Yes. Those</p> <p>10 are just one of the recommendation -- those are</p> <p>11 one of the recommendations.</p> <p>12 BOARD MEMBER CABRERA: One of the eight.</p> <p>13 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>14 BOARD MEMBER CABRERA: Correct.</p> <p>15 ZONING ADMINISTRATOR REDILA: One of the</p> <p>16 eight.</p> <p>17 BOARD MEMBER CABRERA: But I feel like --</p> <p>18 and -- and correct me if I am misinterpreting</p> <p>19 the -- the concept of public welfare. But is</p> <p>20 this in -- pertinent to only historic</p> <p>21 structures or to --</p> <p>22 ZONING ADMINISTRATOR REDILA: They are for</p> <p>23 everything.</p> <p>24 BOARD MEMBER CABRERA: To everything.</p> <p>25 ZONING ADMINISTRATOR REDILA: Yeah.</p>



<p style="text-align: right;">Page 65</p> <p>1 BOARD MEMBER CABRERA: They --</p> <p>2 ZONING ADMINISTRATOR REDILA: Gazebos are</p> <p>3 typically associated with single-family homes.</p> <p>4 Staff does not find them as detrimental to the</p> <p>5 public welfare.</p> <p>6 BOARD MEMBER CABRERA: Oh, I think that's</p> <p>7 important to -- to take into account here.</p> <p>8 Because it -- as being an accessory structure</p> <p>9 it won't harm the public welfare by -- by</p> <p>10 granting approval.</p> <p>11 BOARD MEMBER PEREZ: Arceli, I -- I know I</p> <p>12 last asked about that. I asked last time,</p> <p>13 but is it possible --</p> <p>14 ASSISTANT CITY ATTORNEY FRIEDMAN: Real</p> <p>15 quick --</p> <p>16 BOARD MEMBER PEREZ: Is there a way -- I</p> <p>17 am sorry.</p> <p>18 ASSISTANT CITY ATTORNEY FRIEDMAN: Please</p> <p>19 just make sure you are speaking into the</p> <p>20 microphone.</p> <p>21 BOARD MEMBER PEREZ: Oh, sorry.</p> <p>22 ASSISTANT CITY ATTORNEY FRIEDMAN: So --</p> <p>23 BOARD MEMBER PEREZ: I know I asked last</p> <p>24 time and I don't see it. Is -- if it's</p> <p>25 possible is there a way to dimension from the</p>	<p style="text-align: right;">Page 66</p> <p>1 pool to the edge of the -- the pool deck where</p> <p>2 the gazebo starts? What -- because he keeps</p> <p>3 talking about usable area, usable space.</p> <p>4 What's the square footage of that --</p> <p>5 that --</p> <p>6 ZONING ADMINISTRATOR REDILA: The --</p> <p>7 BOARD MEMBER PEREZ: -- pool deck? I</p> <p>8 think --</p> <p>9 ZONING ADMINISTRATOR REDILA: The</p> <p>10 Applicant could probably answer that question.</p> <p>11 BOARD MEMBER PEREZ: There is no dimension</p> <p>12 for it.</p> <p>13 MR. MESTRE: No. I don't -- I</p> <p>14 honestly don't -- I haven't measured that. But</p> <p>15 what I -- what I did measure was the five feet</p> <p>16 times the width of -- of the deck. Which I</p> <p>17 believe that one is in there and it was 140</p> <p>18 square feet.</p> <p>19 BOARD MEMBER PEREZ: And I am just asking</p> <p>20 because if we, you know, split the baby --</p> <p>21 what -- two and a half feet and we, you know,</p> <p>22 shift it south two and a half feet, you know,</p> <p>23 how much impact is that going to have on -- on</p> <p>24 that usable area that you -- that you have</p> <p>25 referenced?</p>
<p style="text-align: right;">Page 67</p> <p>1 Because what would their Plan B right now</p> <p>2 where it's at? Because where the open area is</p> <p>3 behind the gazebo you have got ten feet.</p> <p>4 MR. MESTRE: It would be ten feet.</p> <p>5 Correct.</p> <p>6 BOARD MEMBER PEREZ: You know, two and a</p> <p>7 half feet more to the south that will give him</p> <p>8 12 and a half feet. I mean, I don't know what</p> <p>9 their intent or their future use would be</p> <p>10 for -- for that space back there what they want</p> <p>11 to do: Dollhouse, swing set; you know,</p> <p>12 something to that.</p> <p>13 Just -- just trying to understand the</p> <p>14 whole usable space area.</p> <p>15 ZONING ADMINISTRATOR REDILA: Mr. Chair,</p> <p>16 we may have people on the Zoom. Do we have</p> <p>17 people on Zoom?</p> <p>18 UNIDENTIFIED SPEAKER: Yes.</p> <p>19 ASSISTANT CITY ATTORNEY FRIEDMAN: If</p> <p>20 there is anyone on Zoom who wishes to speak,</p> <p>21 please raise your hand or -- Mr. Chair, you are</p> <p>22 ready --</p> <p>23 VICE CHAIRPERSON PEREZ: Yes.</p> <p>24 ASSISTANT CITY ATTORNEY FRIEDMAN: -- for</p> <p>25 public comment?</p>	<p style="text-align: right;">Page 68</p> <p>1 VICE CHAIRPERSON PEREZ: Yes.</p> <p>2 ASSISTANT CITY ATTORNEY FRIEDMAN: Who</p> <p>3 wish to speak please raise your hand or send a</p> <p>4 message.</p> <p>5 And I am not sure if these folks were</p> <p>6 sworn in. I couldn't see on the screen. So</p> <p>7 I -- I may ask that each of them be sworn in as</p> <p>8 well unless someone else -- unless you saw that</p> <p>9 they were.</p> <p>10 UNIDENTIFIED SPEAKER: Ms. Maria Cruz --</p> <p>11 Maria C. Cruz would like to speak.</p> <p>12 ASSISTANT CITY ATTORNEY FRIEDMAN: Okay.</p> <p>13 UNIDENTIFIED SPEAKER: She is not on mute.</p> <p>14 ASSISTANT CITY ATTORNEY FRIEDMAN: Mrs. --</p> <p>15 Mrs. Cruz, were you sworn in at the beginning?</p> <p>16 MRS. CRUZ: Yes, I did.</p> <p>17 ASSISTANT CITY ATTORNEY FRIEDMAN: Okay.</p> <p>18 Ma'am, please proceed.</p> <p>19 MRS. CRUZ: Okay. Once again we are</p> <p>20 trying to change, codify what the rules are.</p> <p>21 ZONING ADMINISTRATOR REDILA: Could you,</p> <p>22 please, state your name and address first?</p> <p>23 MRS. CRUZ: Oh, I thought he had done it</p> <p>24 already. My name is Mrs. Maria Cruz. 1447</p> <p>25 Miller Road. I have been in this home since</p>

<p style="text-align: right;">Page 69</p> <p>1 1976.</p> <p>2 I take very serious any and all neighbors'</p> <p>3 changes approved because there is a reason for</p> <p>4 the rules. And when you buy a property you</p> <p>5 know what you can and cannot do and you should</p> <p>6 be expected to honor those rules.</p> <p>7 ASSISTANT CITY ATTORNEY FRIEDMAN: Ms. --</p> <p>8 Mrs. Cruz, real quick. I apologize. Can you,</p> <p>9 please, just turn your camera on to provide --</p> <p>10 MRS. CRUZ: I choose -- no. I choose not</p> <p>11 to turn the camera on. I have asked for sound</p> <p>12 only.</p> <p>13 ASSISTANT CITY ATTORNEY FRIEDMAN: Okay.</p> <p>14 Please proceed.</p> <p>15 MRS. CRUZ: All right. So here we go. We</p> <p>16 have listened to the same presentation that we</p> <p>17 had before. We brought in the idea of the</p> <p>18 dollhouse. Well, there was a dollhouse in that</p> <p>19 property that got a --</p> <p>20 If I remember correctly I don't know</p> <p>21 whether there was a variance or the rules were</p> <p>22 changed so the dollhouse could be there. I</p> <p>23 didn't have the time to go and check the</p> <p>24 rules -- the Code how it went.</p> <p>25 But I know that it was a very specific</p>	<p style="text-align: right;">Page 70</p> <p>1 request that was made and went through so that</p> <p>2 dollhouse could be there.</p> <p>3 The dollhouse has been removed. So I</p> <p>4 don't know why we keep bringing up the</p> <p>5 dollhouse. It doesn't exist. It's not there.</p> <p>6 It was beautiful. It was approved, but it's no</p> <p>7 longer there.</p> <p>8 And I -- I have serious issues with</p> <p>9 probably a guilt trip by mentioning the</p> <p>10 residents of the house. I don't know many</p> <p>11 children the age of the residents that will be</p> <p>12 with a dollhouse. So I don't understand why</p> <p>13 the dollhouse is coming up.</p> <p>14 You talked -- the attorney talked about</p> <p>15 there was feasible area. Well, are we saying</p> <p>16 that the Staff does not know what feasible is?</p> <p>17 Because the Staff thinks to believe that this</p> <p>18 should not be approved because it doesn't</p> <p>19 follow the rules.</p> <p>20 There is a Code. The Code requires 15</p> <p>21 feet on the side of the street. I hope you</p> <p>22 understand that every time rules are changed,</p> <p>23 the doors are open for other people to ask for</p> <p>24 the same thing.</p> <p>25 And pretty soon instead of living in the</p>
<p style="text-align: right;">Page 71</p> <p>1 City Beautiful, the City where we follow the</p> <p>2 rules, we will be called like anybody else in</p> <p>3 this South Florida that can do whatever they</p> <p>4 want.</p> <p>5 I urge you to support the recommendation</p> <p>6 of the Staff. They are paid to understand the</p> <p>7 rules. They are the experts. They are</p> <p>8 professional experts. And they have made it</p> <p>9 clear.</p> <p>10 And by the way I think that this whole</p> <p>11 process is skewed. Because I was watching from</p> <p>12 the beginning. And the fact is, No. 1, that</p> <p>13 you took a vote for a Vice Chair when somebody</p> <p>14 else should have been there to vote. I don't</p> <p>15 object, but I am just pointing out that we have</p> <p>16 done everything possible to see if we can swing</p> <p>17 what we want.</p> <p>18 Okay. I object very seriously to the way</p> <p>19 this meeting has been held. I object to</p> <p>20 being -- assertions being mentioned on the spot</p> <p>21 like a last minute accusation.</p> <p>22 And I think that it's time for people that</p> <p>23 are elected officials to be treated the same as</p> <p>24 everybody else in this City.</p> <p>25 If the rules don't allow you to do it, you</p>	<p style="text-align: right;">Page 72</p> <p>1 can't do it. If you can do it the right way,</p> <p>2 do it. And let's not talk about doing it the</p> <p>3 right way.</p> <p>4 But what you are doing is pushing in my</p> <p>5 way or the highway. Thank you very much.</p> <p>6 ASSISTANT CITY ATTORNEY FRIEDMAN: Is --</p> <p>7 is there anyone else from the public online who</p> <p>8 wishes to comment? If -- if you are, please</p> <p>9 send a message or raise your hand to move</p> <p>10 forward.</p> <p>11 No?</p> <p>12 VICE CHAIRPERSON PEREZ: Okay. There is</p> <p>13 no one else? No one --</p> <p>14 ASSISTANT CITY ATTORNEY FRIEDMAN: No one</p> <p>15 else? And no one in the -- in the audience,</p> <p>16 sir, here today? No. Okay.</p> <p>17 VICE CHAIRPERSON PEREZ: Okay.</p> <p>18 BOARD MEMBER PEREZ: Can -- can we go back</p> <p>19 to No. 1 for a second?</p> <p>20 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>21 BOARD MEMBER PEREZ: So, again, we are</p> <p>22 looking at the north and the south being a</p> <p>23 side --</p> <p>24 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>25 BOARD MEMBER PEREZ: -- setback.</p>

<p style="text-align: right;">Page 73</p> <p>1 ZONING ADMINISTRATOR REDILA: Uh-huh. No.</p> <p>2 I just want to figure the -- the part when it</p> <p>3 was nestled here. So the setback on south --</p> <p>4 the south side is 6.63; the jagged edge: 6.63.</p> <p>5 BOARD MEMBER PEREZ: So -- so right now</p> <p>6 the existing home is -- has a set -- setback on</p> <p>7 the south of 6.63?</p> <p>8 ZONING ADMINISTRATOR REDILA: Yes. And 25</p> <p>9 on the -- and 25 on Urbino Avenue.</p> <p>10 BOARD MEMBER PEREZ: Okay. So, again,</p> <p>11 this is -- I wanted -- this is for my</p> <p>12 knowledge.</p> <p>13 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>14 BOARD MEMBER PEREZ: When you are looking</p> <p>15 at a circumstance of a home that is on a corner</p> <p>16 like this is --</p> <p>17 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>18 BOARD MEMBER PEREZ: -- what are the side</p> <p>19 setbacks?</p> <p>20 ZONING ADMINISTRATOR REDILA: Okay. In</p> <p>21 this case because it is platted east/west --</p> <p>22 two lots platted east/west you can have -- hold</p> <p>23 on.</p> <p>24 In this case since it is platted</p> <p>25 east/west, the front would be San Amaro, 25.</p>	<p style="text-align: right;">Page 74</p> <p>1 Urbino on the north side would be 15. The rear</p> <p>2 would be 10 feet. And then on the -- this</p> <p>3 would be a combination of 20 -- 20 percent of</p> <p>4 the street width.</p> <p>5 So say, for example, if this was done in</p> <p>6 reverse where this has 20 feet on the north</p> <p>7 side. It would still be required 15 feet on</p> <p>8 the Urbino side because that is the required</p> <p>9 setback on Urbino.</p> <p>10 Even if they have ample space on the south</p> <p>11 side they would still be required 15.</p> <p>12 BOARD MEMBER CABRERA: But -- okay.</p> <p>13 BOARD MEMBER PEREZ: So the six and a half</p> <p>14 feet is complaint?</p> <p>15 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>16 Side -- side setback would be no less than</p> <p>17 five. No less than five feet.</p> <p>18 BOARD MEMBER PEREZ: And this one I -- you</p> <p>19 wouldn't consider a corner lot to be an unusual</p> <p>20 condition?</p> <p>21 ZONING ADMINISTRATOR REDILA: Be --</p> <p>22 because this is a typical configuration -- it's</p> <p>23 a typical platted configuration on San Amaro</p> <p>24 Drive this property going west seventeen all</p> <p>25 the way three they would have to provide</p>
<p style="text-align: right;">Page 75</p> <p>1 twenty-five feet.</p> <p>2 BOARD MEMBER PEREZ: From the front?</p> <p>3 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>4 Twenty-five feet from Urbino.</p> <p>5 BOARD MEMBER PEREZ: Okay.</p> <p>6 ZONING ADMINISTRATOR REDILA: And this is</p> <p>7 only required fifteen. And they are</p> <p>8 question -- requesting to do ten. All the</p> <p>9 other properties, same as here, would be</p> <p>10 required fifteen.</p> <p>11 This would also be required fifteen, this</p> <p>12 and this --</p> <p>13 BOARD MEMBER PEREZ: So --</p> <p>14 ZONING ADMINISTRATOR REDILA: -- all the</p> <p>15 rest.</p> <p>16 BOARD MEMBER PEREZ: So when I look at</p> <p>17 number -- lots one and two on Alhambra Circle</p> <p>18 and Urbino, do we know what -- what that home</p> <p>19 looks like from the north?</p> <p>20 ZONING ADMINISTRATOR REDILA: Lot 20 --</p> <p>21 where is it?</p> <p>22 BOARD MEMBER PEREZ: Lot -- on -- on the</p> <p>23 book end. So when you look at one and two --</p> <p>24 ZONING ADMINISTRATOR REDILA: One and two?</p> <p>25 BOARD MEMBER PEREZ: Yeah.</p>	<p style="text-align: right;">Page 76</p> <p>1 ZONING ADMINISTRATOR REDILA: I --</p> <p>2 BOARD MEMBER PEREZ: Have you looked at</p> <p>3 what that looks like?</p> <p>4 ZONING ADMINISTRATOR REDILA: I am not</p> <p>5 sure if it is a combination of one and two. It</p> <p>6 could be just the two or one. I have -- it's</p> <p>7 platted on that side.</p> <p>8 BOARD MEMBER PEREZ: So listen. I agree</p> <p>9 with you on the -- on -- I share your sentiment</p> <p>10 on No. 7. I think No. 1 I -- I think corner</p> <p>11 lots in the Gables are unusual conditions. So</p> <p>12 I -- I -- I -- I -- in my personal view I think</p> <p>13 No. 1 applies because of the corner lot</p> <p>14 scenario.</p> <p>15 ZONING ADMINISTRATOR REDILA: Okay.</p> <p>16 BOARD MEMBER PEREZ: Unfortunately on</p> <p>17 corner lots, I mean, you get -- you are getting</p> <p>18 digged from all over. So I think it makes it a</p> <p>19 hardship in my opinion.</p> <p>20 BOARD MEMBER CABRERA: I was going to</p> <p>21 agree with you in that sense that I understand</p> <p>22 that that is the typical configuration being</p> <p>23 the corner lot, but it is somewhat peculiar in</p> <p>24 the sense that had it not been a corner lot the</p> <p>25 setback would have been ten feet. Is that</p>

<p style="text-align: right;">Page 77</p> <p>1 correct?</p> <p>2 ZONING ADMINISTRATOR REDILA: Yes. If it</p> <p>3 is -- if it is not a corner lot, it would be</p> <p>4 ten, ten or five, five regarding -- depends on</p> <p>5 the -- on the width of the lot. Typical</p> <p>6 configuration in Coral Gables is five thousand,</p> <p>7 maybe eight thousand square feet minimum width</p> <p>8 on the street side.</p> <p>9 BOARD MEMBER CABRERA: Was that what you</p> <p>10 were trying to --</p> <p>11 BOARD MEMBER PEREZ: Yes.</p> <p>12 BOARD MEMBER CABRERA: Yeah. I mean,</p> <p>13 again, I want to reiterate that I understand</p> <p>14 that it is a typical configuration. But with</p> <p>15 it being a corner lot it is somewhat peculiar</p> <p>16 in the sense that other setbacks for properties</p> <p>17 that are not on a corner lot have a smaller</p> <p>18 setback.</p> <p>19 BOARD MEMBER MURADO: I am sorry.</p> <p>20 Procedurally I would like to ask a question. I</p> <p>21 don't know --</p> <p>22 VICE CHAIRPERSON PEREZ: Yes.</p> <p>23 BOARD MEMBER MURADO: -- if I am supposed</p> <p>24 to ask.</p> <p>25 VICE CHAIRPERSON PEREZ: Yes.</p>	<p style="text-align: right;">Page 78</p> <p>1 BOARD MEMBER MURADO: Oh, okay. Thank</p> <p>2 you. After the public comment assuming there</p> <p>3 is no more public comment, may I ask some</p> <p>4 questions of the City Attorney?</p> <p>5 ASSISTANT CITY ATTORNEY FRIEDMAN: Sure.</p> <p>6 BOARD MEMBER MURADO: Okay. I will wait</p> <p>7 till the public comments are closed. Thank</p> <p>8 you.</p> <p>9 ASSISTANT CITY ATTORNEY FRIEDMAN: I mean,</p> <p>10 the --</p> <p>11 ZONING ADMINISTRATOR REDILA: I believe</p> <p>12 the public comments --</p> <p>13 ASSISTANT CITY ATTORNEY FRIEDMAN: There</p> <p>14 was --</p> <p>15 ZONING ADMINISTRATOR REDILA: -- are</p> <p>16 closed.</p> <p>17 ASSISTANT CITY ATTORNEY FRIEDMAN: There</p> <p>18 was no one else online or -- or -- or present</p> <p>19 to make public comment.</p> <p>20 BOARD MEMBER MURADO: Okay.</p> <p>21 ASSISTANT CITY ATTORNEY FRIEDMAN: So if</p> <p>22 you would like to proceed, you may.</p> <p>23 BOARD MEMBER MURADO: Okay. Thank you.</p> <p>24 And I know that I am new. I did read the</p> <p>25 materials that were e-mailed to me by the</p>
<p style="text-align: right;">Page 79</p> <p>1 City -- Assistant City Attorney who is present</p> <p>2 here.</p> <p>3 And on page 107 of the materials that were</p> <p>4 in the YouTube --</p> <p>5 ASSISTANT CITY ATTORNEY FRIEDMAN: Oh,</p> <p>6 the --</p> <p>7 BOARD MEMBER MURADO: -- video that you</p> <p>8 sent me a link to --</p> <p>9 ASSISTANT CITY ATTORNEY FRIEDMAN: Yeah.</p> <p>10 BOARD MEMBER MURADO: -- well, everybody.</p> <p>11 It's the link to who is a Member of the Board</p> <p>12 of Adjustment. I viewed that before our</p> <p>13 meeting.</p> <p>14 And on page 107 of those materials which</p> <p>15 all Board members are supposed to listen to it</p> <p>16 has requirements of the quasi-judicial</p> <p>17 proceedings.</p> <p>18 Do you have access to those materials or</p> <p>19 that page, sir?</p> <p>20 ASSISTANT CITY ATTORNEY FRIEDMAN: I will</p> <p>21 in one moment.</p> <p>22 BOARD MEMBER MURADO: Thank you.</p> <p>23 ASSISTANT CITY ATTORNEY FRIEDMAN: Yes.</p> <p>24 And -- and just to be clear this is the</p> <p>25 PowerPoint that is available online. It is the</p>	<p style="text-align: right;">Page 80</p> <p>1 City of Coral Gables Biennial Courts and</p> <p>2 Committees Ethics Training dated September 29,</p> <p>3 2023; a copy of which was provided to the two</p> <p>4 new Board Members who were appointed since the</p> <p>5 September meeting. But all Board Members</p> <p>6 should receive this as well from -- from either</p> <p>7 the City Attorney's Office or the City Clerk's</p> <p>8 Office.</p> <p>9 BOARD MEMBER MURADO: Okay. If I may</p> <p>10 request for the benefit of everyone who doesn't</p> <p>11 have that in front of us, can you please read</p> <p>12 that requirement of the quasi-judicial</p> <p>13 proceedings?</p> <p>14 Because this Board has quasi-judicial</p> <p>15 powers. If you can please read what I am</p> <p>16 referring to so that everyone on the Board is</p> <p>17 familiar with what I am looking at as well as</p> <p>18 everyone who is listening or watching this</p> <p>19 meeting, please?</p> <p>20 ASSISTANT CITY ATTORNEY FRIEDMAN: Sure.</p> <p>21 You just want to read the slide?</p> <p>22 BOARD MEMBER MURADO: Yes, please.</p> <p>23 ASSISTANT CITY ATTORNEY FRIEDMAN: Okay.</p> <p>24 BOARD MEMBER MURADO: From --</p> <p>25 ASSISTANT CITY ATTORNEY FRIEDMAN:</p>

<p style="text-align: right;">Page 81</p> <p>1 "Requirements" --</p> <p>2 BOARD MEMBER MURADO: From the beginning.</p> <p>3 ASSISTANT CITY ATTORNEY FRIEDMAN: Yes,</p> <p>4 ma'am. "Requirements of quasi-judicial</p> <p>5 proceedings. The Board is sitting like a</p> <p>6 Judge" -- paren -- "must also consider whether</p> <p>7 you can be fair and impartial" -- in quotes.</p> <p>8 "Parties must be provided with, one,</p> <p>9 notice of the hearing; two, an opportunity to</p> <p>10 be heard; and, three, when involving zoning the</p> <p>11 parties must be able to present evidence, cross</p> <p>12 examine witnesses and be informed of all facts</p> <p>13 upon which the quasi-judicial body has; four,</p> <p>14 ex-parte communications are prohibited."</p> <p>15 BOARD MEMBER MURADO: Thank you.</p> <p>16 I would follow-up with another question if</p> <p>17 I am allowed.</p> <p>18 ASSISTANT CITY ATTORNEY FRIEDMAN: It's</p> <p>19 the -- if the Chair allows.</p> <p>20 VICE CHAIRPERSON PEREZ: Yes. Go ahead.</p> <p>21 BOARD MEMBER MURADO: Thank you. If a</p> <p>22 member believes that they cannot be fair and</p> <p>23 impartial or there is the appearance of an</p> <p>24 impropriety, what must a Board Member do?</p> <p>25 ASSISTANT CITY ATTORNEY FRIEDMAN: If a</p>	<p style="text-align: right;">Page 82</p> <p>1 member does not believe that they can be fair</p> <p>2 or impartial, then they should state the reason</p> <p>3 why and they can recuse from that -- from that</p> <p>4 decision.</p> <p>5 BOARD MEMBER MURADO: So they would</p> <p>6 abstain from voting or recuse?</p> <p>7 ASSISTANT CITY ATTORNEY FRIEDMAN: They --</p> <p>8 they -- they would recuse from voting.</p> <p>9 BOARD MEMBER MURADO: Okay.</p> <p>10 ASSISTANT CITY ATTORNEY FRIEDMAN: But</p> <p>11 that is a determination for the Board Member to</p> <p>12 make. So they need to disclose whatever the</p> <p>13 ex-parte communication is and then they would</p> <p>14 need to determine whether or not they believe</p> <p>15 they can proceed on an impartial and unbiased</p> <p>16 manner.</p> <p>17 BOARD MEMBER MURADO: Okay. Is the</p> <p>18 standard of being fair and impartial based</p> <p>19 solely if there is an ex-parte communication?</p> <p>20 ASSISTANT CITY ATTORNEY FRIEDMAN: I -- I</p> <p>21 don't --</p> <p>22 VICE CHAIRPERSON PEREZ: If a --</p> <p>23 ASSISTANT CITY ATTORNEY FRIEDMAN: You</p> <p>24 mean --</p> <p>25 VICE CHAIRPERSON PEREZ: I have been</p>
<p style="text-align: right;">Page 83</p> <p>1 through that -- that process before. And if</p> <p>2 it's believed that there is an issue basically</p> <p>3 with the Board Member, then the Board Member</p> <p>4 would say what it is: "I don't feel that I can</p> <p>5 be partial -- or I feel I can be partial."</p> <p>6 But in -- in the extreme case what I --</p> <p>7 what I did which was is you excuse yourself, go</p> <p>8 outside, let the meeting take place, let the</p> <p>9 votes take place and you finish and don't --</p> <p>10 then you come back inside and continue the</p> <p>11 meeting.</p> <p>12 Because --</p> <p>13 BOARD MEMBER MURADO: Okay.</p> <p>14 VICE CHAIRPERSON PEREZ: -- we should not</p> <p>15 taint the proceedings because someone believes</p> <p>16 that he might have conflict or he might not</p> <p>17 have conflict.</p> <p>18 ASSISTANT CITY ATTORNEY FRIEDMAN: And --</p> <p>19 BOARD MEMBER MURADO: Okay.</p> <p>20 ASSISTANT CITY ATTORNEY FRIEDMAN: -- may</p> <p>21 I? And, Mr. Chair, if I may.</p> <p>22 VICE CHAIRPERSON PEREZ: Yes.</p> <p>23 ASSISTANT CITY ATTORNEY FRIEDMAN: We</p> <p>24 typically don't deal with these as</p> <p>25 hypotheticals. But if you have a question or a</p>	<p style="text-align: right;">Page 84</p> <p>1 concern or something of that nature, you are</p> <p>2 always welcome to ask. And we can step out --</p> <p>3 we can ask for a recess and step outside and</p> <p>4 discuss it as to a specific --</p> <p>5 BOARD MEMBER MURADO: A recess -- a</p> <p>6 recess outside. And who would I ask my</p> <p>7 question to?</p> <p>8 ASSISTANT CITY ATTORNEY FRIEDMAN: If --</p> <p>9 if you believe that you have --</p> <p>10 BOARD MEMBER MURADO: I don't believe that</p> <p>11 I have.</p> <p>12 ASSISTANT CITY ATTORNEY FRIEDMAN: Oh,</p> <p>13 okay.</p> <p>14 BOARD MEMBER MURADO: No. Because I -- if</p> <p>15 I did believe that I had a conflict of interest</p> <p>16 or I could not be fair and impartial I would</p> <p>17 say so at the very beginning of this meeting</p> <p>18 immediately.</p> <p>19 So my concern with all due respect and as</p> <p>20 Mr. Perez says this is my first day and I just</p> <p>21 got appointed, but I have do have a</p> <p>22 responsibility and I take it seriously.</p> <p>23 I have a concern with one of the Board</p> <p>24 Members and being fair and impartial. So can I</p> <p>25 bring that up?</p>

<p style="text-align: right;">Page 85</p> <p>1 ASSISTANT CITY ATTORNEY FRIEDMAN: I --</p> <p>2 each -- each Board Member sitting here today</p> <p>3 has been asked whether or not they have</p> <p>4 anything to disclose or if they have any issue</p> <p>5 that would render them impartial -- not</p> <p>6 impartial or unable to render a decision.</p> <p>7 That -- the question of whether there is</p> <p>8 an issue with the Board Member's ability to</p> <p>9 vote is typically one that is specific to the</p> <p>10 Board Member.</p> <p>11 So we do not, for instance, render</p> <p>12 opinions on whether -- you know -- you believe</p> <p>13 another Board Member may or may not have, you</p> <p>14 know, an -- an issue of impartiality. But I</p> <p>15 defer to the Chair on -- on --</p> <p>16 VICE CHAIRPERSON PEREZ: Right. If every</p> <p>17 Board Member that's sitting here if one</p> <p>18 believed that: "I have a -- a problem</p> <p>19 relationship," it's their duty to come out and</p> <p>20 say it.</p> <p>21 And then the Board would decide if that</p> <p>22 individual can vote or not. But the thing is</p> <p>23 if -- if it's believed that there is a conflict</p> <p>24 to go outside and get out of the meeting. Let</p> <p>25 the hearing proceed and then you come back</p>	<p style="text-align: right;">Page 86</p> <p>1 inside and do whatever.</p> <p>2 ASSISTANT CITY ATTORNEY FRIEDMAN: But --</p> <p>3 VICE CHAIRPERSON PEREZ: And --</p> <p>4 ASSISTANT CITY ATTORNEY FRIEDMAN: And</p> <p>5 directly --</p> <p>6 VICE CHAIRPERSON PEREZ: -- there is no</p> <p>7 way -- it is asked verbatim if anyone has any</p> <p>8 problem, any issues, any beliefs they do and</p> <p>9 people will say no.</p> <p>10 Now if during the duration it finds out</p> <p>11 that one of the Board Members has got a -- an</p> <p>12 issue because -- then he should bring it up</p> <p>13 and -- on the open. And then we take vote on</p> <p>14 it.</p> <p>15 I don't know if I answered your question.</p> <p>16 BOARD MEMBER MURADO: You answered my</p> <p>17 question. And it's -- it sounds like it's in</p> <p>18 contrary to what the City Attorney says. So --</p> <p>19 ASSISTANT CITY ATTORNEY FRIEDMAN: No.</p> <p>20 It's -- it's a personal -- it is personal to</p> <p>21 the Board Member. The Board Member is</p> <p>22 responsible for determining whether or not they</p> <p>23 can remain unbiased in determining whether or</p> <p>24 not to approve the variance or deny the</p> <p>25 variance or participate in the deliberations.</p>
<p style="text-align: right;">Page 87</p> <p>1 So as we are all sitting here like you</p> <p>2 said at the beginning, you know, you would</p> <p>3 disclose that you would not be able to be --</p> <p>4 you know -- fair and impartial.</p> <p>5 And my understanding is that everyone</p> <p>6 sitting here has already made that</p> <p>7 determination as well.</p> <p>8 BOARD MEMBER MURADO: And if there is the</p> <p>9 appearance of a conflict of interest, does</p> <p>10 somebody have the responsibility to say that</p> <p>11 or --</p> <p>12 Because I do have a concern.</p> <p>13 ASSISTANT CITY ATTORNEY FRIEDMAN: An</p> <p>14 appearance --</p> <p>15 BOARD MEMBER MURADO: And I guess I</p> <p>16 have --</p> <p>17 VICE CHAIRPERSON PEREZ: You --</p> <p>18 BOARD MEMBER MURADO: -- to keep it to</p> <p>19 myself.</p> <p>20 VICE CHAIRPERSON PEREZ: You should say it</p> <p>21 if the person you are thinking has an issue or</p> <p>22 problem, come -- come out and say it in that</p> <p>23 case.</p> <p>24 I -- I had an issue. My son is an</p> <p>25 attorney. My other son is an attorney. My</p>	<p style="text-align: right;">Page 88</p> <p>1 other one is an attorney. And the guy that</p> <p>2 came over here -- and I didn't know that -- I</p> <p>3 found out that my son had an issue on that. So</p> <p>4 I said: "Hey. I -- I don't -- just in</p> <p>5 case" --</p> <p>6 BOARD MEMBER MURADO: Right.</p> <p>7 VICE CHAIRPERSON PEREZ: -- "I don't know</p> <p>8 that I can be really formal."</p> <p>9 And then I got to face my wife, I have</p> <p>10 been married 62 years, that I voted against my</p> <p>11 son. That's not an issue that I want to hear.</p> <p>12 So, you know, I excused myself, go outside and</p> <p>13 have a drink of water and then come back</p> <p>14 inside.</p> <p>15 ASSISTANT CITY ATTORNEY FRIEDMAN: If --</p> <p>16 if I may, Mr. Vice Chair.</p> <p>17 You know, before the Board is an</p> <p>18 application. Right? And this is a -- as you</p> <p>19 stated this is quasi-judicial hearing. And so</p> <p>20 anything that the Board does should be based</p> <p>21 upon the evidence presented here and the</p> <p>22 standards that you are required to apply.</p> <p>23 And so really that's the -- the four</p> <p>24 corners of -- of what we are looking at. It's</p> <p>25 the Board Member's responsibility to make the</p>

<p style="text-align: right;">Page 89</p> <p>1 determination as to whether or not they can  2 remain fair and impartial and unbiased in -- in  3 reviewing this application.  4 BOARD MEMBER MURADO: I --  5 ASSISTANT CITY ATTORNEY FRIEDMAN: And  6 so -- go ahead, ma'am.  7 BOARD MEMBER MURADO: I -- I have a  8 question. Now the question to me is whether  9 you can be fair and impartial with respect to  10 the eight points delineated in the Zoning Code  11 and one thing is whether you can be fair and  12 impartial with respect to who the homeowners  13 are.  14 I think there is a difference.  15 ASSISTANT CITY ATTORNEY FRIEDMAN: Again,  16 it --  17 VICE CHAIRPERSON PEREZ: It's not supposed  18 to.  19 ASSISTANT CITY ATTORNEY FRIEDMAN: That  20 doesn't change -- this application should be  21 heard like any other application. So if --  22 if -- if the Board believes that it meets the  23 standards for the variance, then they can vote  24 to approve. If they don't, they can vote to  25 deny.</p>	<p style="text-align: right;">Page 90</p> <p>1 That's -- that is really where we are. So  2 if there is a Board Member who has an issue and  3 who has a question, you are always welcome -- I  4 e-mailed you last week.  5 If you have any questions, you are always  6 welcome to reach out to our office. This goes  7 for everyone on the Board. If you have  8 questions about your ability to vote on a  9 particular matter once you receive an agenda,  10 you are always welcome to contact our office,  11 not only me but my -- my colleagues as well.  12 And we can walk that through.  13 But it is -- it is a personal question for  14 each Board Member. And so if a Board Member  15 believes that they can remain fair and  16 impartial and -- and vote on a particular item,  17 then that is -- is -- is sufficient.  18 BOARD MEMBER MURADO: Okay. So, again, it  19 is subjective to the Board of Adjustment  20 Member. And -- and I -- I thank you for  21 answering the question. And we will leave it  22 at that.  23 VICE CHAIRPERSON PEREZ: Any other  24 questions? No. Okay. Call for vote.  25 ZONING ADMINISTRATOR REDILA: Anyone who</p>
<p style="text-align: right;">Page 91</p> <p>1 wants to make motion?  2 ASSISTANT CITY ATTORNEY FRIEDMAN: Yeah.  3 Someone -- someone would need to make a  4 motion.  5 BOARD MEMBER PEREZ: I -- I will -- I will  6 move.  7 ZONING ADMINISTRATOR REDILA: Move to?  8 ASSISTANT CITY ATTORNEY FRIEDMAN: You  9 should have --  10 ZONING ADMINISTRATOR REDILA: Yeah.  11 ASSISTANT CITY ATTORNEY FRIEDMAN: --  12 options of a script if anyone wants to make a  13 motion there.  14 BOARD MEMBER PEREZ: So I move that the  15 Board of Adjustment grant the variance request  16 by the property owners, Vince and Olga Lago,  17 for the property located at 5200 San Amaro  18 Drive to reduce the side set -- a side street  19 setback of an accessory structure, gazebo, to  20 ten feet where fifteen feet is required  21 pursuant to Section 2-201.D(4) of the Coral  22 Gables Zoning Code.  23 The motion is based upon the testimony  24 presented along with the application submitted  25 and the Staff report which constitute competent</p>	<p style="text-align: right;">Page 92</p> <p>1 and substantial evidence.  2 The Board hereby make findings of fact  3 that each of the standards of Section 14-207 of  4 the Zoning Code has been met.  5 VICE CHAIRPERSON PEREZ: Who seconded  6 that? Anyone second the motion?  7 ZONING ADMINISTRATOR REDILA: I second the  8 motion.  9 VICE CHAIRPERSON PEREZ: Any questions?  10 ASSISTANT CITY ATTORNEY FRIEDMAN: Would  11 you like to call for a roll, Mr. Vice Chair?  12 VICE CHAIRPERSON PEREZ: Yes. I will call  13 for a vote on the -- on the --  14 ZONING ADMINISTRATOR REDILA: Mr. Wolman.  15 VICE CHAIRPERSON PEREZ: -- 5200 San Amaro  16 Drive.  17 BOARD MEMBER WOLMAN: Grant.  18 ZONING ADMINISTRATOR REDILA: Mr. Perez --  19 Alberto Perez.  20 BOARD MEMBER PEREZ: Grant.  21 ZONING ADMINISTRATOR REDILA: Mr. Cabrera.  22 BOARD MEMBER CABRERA: Grant.  23 ZONING ADMINISTRATOR REDILA: Ms. Murado.  24 BOARD MEMBER MURADO: Deny.  25 ZONING ADMINISTRATOR REDILA: Mr. Alberto</p>

<p style="text-align: right;">Page 93</p> <p>1       Perez -- Gustave Perez. Mr. Gustave Perez?</p> <p>2           VICE CHAIRPERSON PEREZ: No.</p> <p>3           ASSISTANT CITY ATTORNEY FRIEDMAN: Motion</p> <p>4       fails.</p> <p>5           ZONING ADMINISTRATOR REDILA: Motion</p> <p>6       fails.</p> <p>7           ASSISTANT CITY ATTORNEY FRIEDMAN: If the</p> <p>8       Board would like to entertain another motion</p> <p>9       or --</p> <p>10          ZONING ADMINISTRATOR REDILA: What would</p> <p>11       the next motion be?</p> <p>12          ASSISTANT CITY ATTORNEY FRIEDMAN: It</p> <p>13       could -- it -- it's up to the Board if you want</p> <p>14       to continue discussion and see if you can reach</p> <p>15       some consensus, you are more than able to.</p> <p>16          If not and there is no further motion to</p> <p>17       be made, this item will be continued to the</p> <p>18       next -- to the next meeting of the Board.</p> <p>19          BOARD MEMBER PEREZ: I mean, I think it --</p> <p>20       it's up to the homeowners discretion or choice</p> <p>21       whether they want to abide by -- by the Staff</p> <p>22       which by the way you did a great job.</p> <p>23          But it's up to the homeowner whether they</p> <p>24       want to take -- take the recommendation or not.</p> <p>25       I don't think it's up to us to -- to make a</p>	<p style="text-align: right;">Page 94</p> <p>1       decision for them.</p> <p>2           ASSISTANT CITY ATTORNEY FRIEDMAN:</p> <p>3       Completely. And -- and there are -- you know,</p> <p>4       if -- if the Board would like to make -- as I</p> <p>5       said if the Board would like to make another</p> <p>6       motion, a different motion, they are more</p> <p>7       than -- more than able to do so. And, if not,</p> <p>8       then they -- this motion has failed. The Board</p> <p>9       has taken no action. And it would come back to</p> <p>10       the Board.</p> <p>11          BOARD MEMBER CABRERA: In which case we</p> <p>12       would be having this settle -- discussion again</p> <p>13       in a month?</p> <p>14          ASSISTANT CITY ATTORNEY FRIEDMAN:</p> <p>15       Possibly. Possibly. It depends on the -- on</p> <p>16       the makeup of the Board. It depends on, you</p> <p>17       know, whether or not there is further</p> <p>18       discussion between the Applicant and City</p> <p>19       Staff, but that is certainly a possibility.</p> <p>20          VICE CHAIRPERSON PEREZ: Are there any</p> <p>21       other issues that -- that the Board wants to</p> <p>22       bring out, that they want to hash it out?</p> <p>23          If not, then the vote has been casted.</p> <p>24       And the number four are -- and I am in back of</p> <p>25       it. The Board hereby makes finding that each</p>
<p style="text-align: right;">Page 95</p> <p>1       of the standards Section -- has -- has been --</p> <p>2       has not been met --</p> <p>3           ASSISTANT CITY ATTORNEY FRIEDMAN: Well,</p> <p>4       this --</p> <p>5           VICE CHAIRPERSON PEREZ: -- or met.</p> <p>6           ASSISTANT CITY ATTORNEY FRIEDMAN: This</p> <p>7       motion failed. So this is --</p> <p>8           VICE CHAIRPERSON PEREZ: Failed. Right.</p> <p>9           ASSISTANT CITY ATTORNEY FRIEDMAN: There</p> <p>10       is no -- essentially the Board has taken no</p> <p>11       action again. So if there is no further motion</p> <p>12       we do have a -- we do have another</p> <p>13       application --</p> <p>14          VICE CHAIRPERSON PEREZ: Okay.</p> <p>15          ASSISTANT CITY ATTORNEY FRIEDMAN: -- to</p> <p>16       hear.</p> <p>17          VICE CHAIRPERSON PEREZ: Then let's get</p> <p>18       on -- let's get on with it. Let's -- how are</p> <p>19       you --</p> <p>20          ZONING ADMINISTRATOR REDILA: Okay. To</p> <p>21       our second item. It's Variance</p> <p>22       VARI-24-11-0020. This is a variance for a</p> <p>23       driveway for a single-family home located at</p> <p>24       1201 Sorolla Avenue. I believe the Applicant</p> <p>25       is here. Would you like to do your</p>	<p style="text-align: right;">Page 96</p> <p>1       presentation?</p> <p>2           MR. MILNE: So how do I connect to this?</p> <p>3           UNIDENTIFIED SPEAKER: What is your user</p> <p>4       name? Your user name on Zoom.</p> <p>5           MR. MILNE: Oh, sorry.</p> <p>6           UNIDENTIFIED SPEAKER: What is your user</p> <p>7       name on Zoom? Are you not on Zoom?</p> <p>8           MR. MILNE: I need to be on Zoom?</p> <p>9           UNIDENTIFIED SPEAKER: Yes.</p> <p>10          MR. MILNE: Can you send me a link?</p> <p>11          UNIDENTIFIED SPEAKER: Give me a second.</p> <p>12          MR. MILNE: Good morning everyone.</p> <p>13          ASSISTANT CITY ATTORNEY FRIEDMAN: Real --</p> <p>14       real quick just before we begin. I -- I would</p> <p>15       like to ask that the -- the Clerk to swear --</p> <p>16       to swear you both in.</p> <p>17          THE COURT REPORTER: Would you raise your</p> <p>18       right hand.</p> <p>19          Do you solemnly swear or affirm that the</p> <p>20       testimony that you will provide will be the</p> <p>21       truth, the whole truth and nothing but the</p> <p>22       truth?</p> <p>23          MR. MILNE: I swear.</p> <p>24          MR. NUÑEZ: Yes, I do.</p> <p>25          MR. MILNE: Good morning, everyone. My</p>



<p style="text-align: right;">Page 97</p> <p>1 name is Duncan Milne. I am the homeowner at  2 1201 Sorolla Avenue. I have lived at -- I have  3 owned the house for three and a half years with  4 my wife and daughters.  5 And this is an application -- and for the  6 Board thank you for the opportunity to present  7 this morning. This is more -- an application  8 for us to replace what is an existing driveway  9 and -- with a new driveway.  10 And the house at Sorolla Avenue is a  11 corner lot. You can see the front of the house  12 there which it faces Sorolla Avenue. The  13 existing garage of the property is on Columbus  14 Avenue which is kind of the side of the  15 property.  16 And there was a driveway -- existing  17 driveway to the garage. And as you can see the  18 house has a number of concrete blocks in the  19 front of it.  20 We purchased this home three and a half  21 years ago. The previous owners have lived  22 there for over 50 years. And I believe the  23 previous owners may have made some additions to  24 the house that I know may have been done  25 without --</p>	<p style="text-align: right;">Page 98</p> <p>1 I don't know what the status of any  2 permits were prior to when we purchased the  3 property. But the front of the house where you  4 saw and the cars parked there and that used --  5 had -- used to have a carport in it which was  6 converted into living space.  7 We don't know when that happened to that  8 carport. So the driveway that was in front of  9 the drive or is in front of the drive is some  10 concrete blocks four -- four foot by four foot  11 concrete blocks; not particularly attractive.  12 We are looking to replace those concrete  13 blocks with Chicago driveway in front of the  14 house.  15 And the reason why we are here before you  16 today is that the hardship that we want to  17 explain to you is that the existing garage  18 which is on Columbus Avenue is more than 50  19 yards from the front of the house.  20 And so I have three young daughters all  21 over the age of ten, school bags and -- you are  22 used to all that I am sure. And when weather  23 is in bad conditions we therefore would have  24 to wait if we are not -- unable to have a  25 driveway in front of the house.</p>
<p style="text-align: right;">Page 99</p> <p>1 And as per the existing Code we would have  2 to walk all the way around to the side of the  3 house.  4 MR. NUÑEZ: There is no sidewalk.  5 MR. MILNE: There is no sidewalk on  6 Columbus Avenue. So just walking on the road  7 and a 50 yard walk in all weather conditions.  8 And further to that the address of the house as  9 you see is 1201 Sorolla Avenue.  10 So when we have any deliveries like Amazon  11 deliveries we have everyday or if we have  12 anyone coming to visit the house if we are not  13 permitted to have a driveway in front of the  14 house, they would have to park on the grass  15 surge. They would have -- so eroding the grass  16 surge. It would cause congestion.  17 So we are just -- our request today for --  18 for the Board is for -- this is -- this you can  19 see here is the driveway that we have to the  20 existing garage. We want to just replicate  21 that in front of the house there with the  22 Chicago brick driveway.  23 We have considered all eight of the  24 different basis for variation. We believe that  25 we meet all of those variation requests. And,</p>	<p style="text-align: right;">Page 100</p> <p>1 I mean, we have been kind enough to liaise with  2 Arceli and the rest of the City team over the  3 past few months and really take their feedback  4 on this.  5 And -- and they came to visit us at the  6 site to -- to look at the site and say: "We  7 are hopeful that we have the City's support on  8 this."  9 But I am happy to take any questions or  10 comments.  11 ZONING ADMINISTRATOR REDILA: Can we have  12 the presentation, please?  13 VICE CHAIRPERSON PEREZ: Any questions?  14 BOARD MEMBER MURADO: I have a question.  15 My question is in the application I didn't see  16 how many feet you wanted the driveway to be.  17 MR. MILNE: The width --  18 BOARD MEMBER MURADO: However -- I am  19 sorry.  20 MR. MILNE: The width of 11 feet.  21 BOARD MEMBER MURADO: You requested a  22 width of 11 feet?  23 MR. MILNE: A width of 11 feet.  24 BOARD MEMBER MURADO: Okay. Because in  25 the report the Zoning Department on -- on</p>

<p style="text-align: right;">Page 101</p> <p>1 Ms. Redila's report before .5 of attachments it  2 says: "The Planning and Zoning Division  3 recommends approval with condition: That the  4 width of the driveway be reduced to eleven feet  5 instead of the proposed twelve feet." So my  6 question is you propose twelve feet. The  7 Zoning Department proposed eleven feet. Is  8 this a compromise for you?  9 MR. MILNE: We are happy to accept the  10 11 feet. Yeah.  11 BOARD MEMBER MURADO: And my question then  12 is --  13 May I ask a question to Ms. Redila?  14 ZONING ADMINISTRATOR REDILA: If you would  15 like --  16 BOARD MEMBER MURADO: Is it not my turn to  17 ask yet?  18 ZONING ADMINISTRATOR REDILA: Yeah. I can  19 make my presentation.  20 BOARD MEMBER MURADO: Okay. Sorry.  21 ZONING ADMINISTRATOR REDILA: Okay. Thank  22 you. Good morning again. For the record  23 Arceli Redila, Zoning Administrator Development  24 Services.  25 So this request is for 1201 Sorolla</p>	<p style="text-align: right;">Page 102</p> <p>1 Avenue. Just to orient you on the location,  2 this is on Section E of Coral Gables Columbus  3 Boulevard and Sorolla Avenue. As you can see  4 the site here. Here is an aerial. Huh. It's  5 not moving. Can you move to the next slide?  6 Sorry.  7 Oh, okay. Sorry. Let's go back. So here  8 as the applicant already stated they are  9 requesting a driveway on Sorolla Avenue. This  10 is the existing elevation of the house.  11 This used to be -- this used to be the  12 carport. The house was built in 1929. And  13 that was converted. And as you can see the  14 aerial here there is a -- the -- the way they  15 are providing their parking space is through  16 this structure on the rear. It's a detached  17 garage. And they want to have a driveway on  18 Sorolla Avenue in the front.  19 The Code does require the driveways needs  20 to lead into a garage. However, this house was  21 built in 1929. That requirement of the Code  22 was in 2018 when we did a -- a rewrite or a --  23 a change to the single-family zone section.  24 We now require driveways only if it has  25 access to a garage, a carport or a</p>
<p style="text-align: right;">Page 103</p> <p>1 porte-cochère. So now with that Staff is  2 analyzing this.  3 As you can see in the Staff report, Staff  4 is recommending approval based on the fact that  5 there is no sidewalk as you can see from along  6 Columbus Boulevard from the garage and given  7 the fact that there was a carport there before  8 and Staff is recommending approval with  9 condition that they would reduce it to 11 feet  10 as opposed to the 12.  11 And with that, that's Staff's  12 recommendation.  13 BOARD MEMBER PEREZ: I -- I am sorry.  14 Eleven feet is the entire drive -- so it's the  15 driveway?  16 ZONING ADMINISTRATOR REDILA: The  17 driveway.  18 BOARD MEMBER PEREZ: The width -- the  19 width of the entire drive even what's on the  20 right-of-way?  21 ZONING ADMINISTRATOR REDILA: Yes. They  22 can have the approach on that driveway -- on  23 the swale like on Sorolla Avenue, a little bit  24 further. But as this goes in it should be  25 eleven -- eleven.</p>	<p style="text-align: right;">Page 104</p> <p>1 BOARD MEMBER PEREZ: What -- what are the  2 existing conditions now? Do you have a picture  3 of it?  4 ZONING ADMINISTRATOR REDILA: They have  5 presented a picture. There is no more  6 driveway. The driveway was gone.  7 MR. MILNE: Yeah. It's removed.  8 BOARD MEMBER PEREZ: But there -- there  9 was a driveway there before?  10 ZONING ADMINISTRATOR REDILA: There was a  11 driveway there before. I am not sure how --  12 like you see the picture -- current picture  13 right now?  14 There is no driveway. And it is during  15 the permit review that we saw like there is  16 no -- it is not leading to a carport or a  17 garage or a porte-cochère.  18 BOARD MEMBER PEREZ: But -- but before  19 that what -- what was on the private property?  20 MR. NUÑEZ: Oh, they were concrete.  21 MR. MILNE: Concrete. It was concrete  22 blocks.  23 BOARD MEMBER PEREZ: Okay.  24 MR. MILNE: So four by four concrete  25 blocks.</p>

<p style="text-align: right;">Page 105</p> <p>1 MR. NUÑEZ: There you go, sir.</p> <p>2 BOARD MEMBER PEREZ: So that -- that is</p> <p>3 what was there --</p> <p>4 MR. MILNE: Yes.</p> <p>5 MR. NUÑEZ: There you go. That's the --</p> <p>6 before the City make us remove everything right</p> <p>7 now.</p> <p>8 BOARD MEMBER PEREZ: And -- and that</p> <p>9 was -- and that was permitted?</p> <p>10 ZONING ADMINISTRATOR REDILA: We couldn't</p> <p>11 find permit for that.</p> <p>12 MR. MILNE: For the -- for the carport?</p> <p>13 BOARD MEMBER PEREZ: Yeah. For like</p> <p>14 the --</p> <p>15 MR. NUÑEZ: No. The driveway.</p> <p>16 BOARD MEMBER PEREZ: For the driveway that</p> <p>17 was permitted before?</p> <p>18 MR. MILNE: I am not -- don't know.</p> <p>19 MR. NUÑEZ: I don't know.</p> <p>20 BOARD MEMBER CABRERA: You said the City</p> <p>21 asked you to remove it recently?</p> <p>22 MR. MILNE: No. We started to remove it</p> <p>23 because we have been in an application to put</p> <p>24 the driveway in and that application was</p> <p>25 initially denied. We removed it. And then we</p>	<p style="text-align: right;">Page 106</p> <p>1 made this application after that.</p> <p>2 BOARD MEMBER MURADO: I have a question</p> <p>3 for Ms. Redila.</p> <p>4 Why was your recommendation to 11 feet</p> <p>5 versus 12?</p> <p>6 ZONING ADMINISTRATOR REDILA: The Code</p> <p>7 requires 11 feet.</p> <p>8 BOARD MEMBER MURADO: Okay. Thank you.</p> <p>9 BOARD MEMBER PEREZ: So --</p> <p>10 ZONING ADMINISTRATOR REDILA: The -- the</p> <p>11 width of the -- of the property is not -- right</p> <p>12 now I think it's just what? 75?</p> <p>13 MR. MILNE: Yes.</p> <p>14 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>15 BOARD MEMBER PEREZ: So -- so technically</p> <p>16 it's basically a cosmetic improvement. It's --</p> <p>17 they are basically --</p> <p>18 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>19 BOARD MEMBER PEREZ: -- replacing a</p> <p>20 driveway that was already there. And I would</p> <p>21 like to think that the City way back when did</p> <p>22 their job and issued a permit for that</p> <p>23 driveway.</p> <p>24 So they are basically just improving a</p> <p>25 driveway that already exists.</p>
<p style="text-align: right;">Page 107</p> <p>1 ZONING ADMINISTRATOR REDILA: We -- we</p> <p>2 just couldn't find record of the driveway, the</p> <p>3 existing.</p> <p>4 And -- and it's now all gone.</p> <p>5 BOARD MEMBER CABRERA: What's -- it's --</p> <p>6 may I -- may I -- through the Chair may -- may</p> <p>7 I ask a question?</p> <p>8 VICE CHAIRPERSON PEREZ: Yes, please.</p> <p>9 BOARD MEMBER CABRERA: What is the current</p> <p>10 distance of the garage to the house? How far</p> <p>11 do you have to walk?</p> <p>12 MR. NUÑEZ: Oh, we are over 100 feet.</p> <p>13 Pure grass. No sidewalk.</p> <p>14 BOARD MEMBER CABRERA: Understood.</p> <p>15 MR. NUÑEZ: And basically we walk -- when</p> <p>16 it's raining, we walk over the asphalt of -- of</p> <p>17 the road.</p> <p>18 BOARD MEMBER CABRERA: Okay.</p> <p>19 MR. NUÑEZ: We have to go through the road</p> <p>20 to the house.</p> <p>21 THE COURT REPORTER: Your name, please?</p> <p>22 MR. NUÑEZ: Enrique Nuñez.</p> <p>23 BOARD MEMBER PEREZ: And -- and the</p> <p>24 driveway that was there before that's being</p> <p>25 replaced how wide was that?</p>	<p style="text-align: right;">Page 108</p> <p>1 ZONING ADMINISTRATOR REDILA: Applicant</p> <p>2 please.</p> <p>3 MR. MILNE: It was a double driveway.</p> <p>4 It -- it curved around. I -- I never measured</p> <p>5 it, but you can see it's one of the -- it's --</p> <p>6 it fit -- it would fit two cars there. And</p> <p>7 then it would curve around into the front of</p> <p>8 the house.</p> <p>9 MR. NUÑEZ: Touching the sidewalk was</p> <p>10 fifteen.</p> <p>11 BOARD MEMBER PEREZ: Okay.</p> <p>12 MR. NUÑEZ: Touching the sidewalk.</p> <p>13 BOARD MEMBER PEREZ: And I am sorry.</p> <p>14 That -- that zoning was -- you said it was</p> <p>15 rewritten in '18?</p> <p>16 ZONING ADMINISTRATOR REDILA: 2018.</p> <p>17 BOARD MEMBER PEREZ: Twenty -- that's</p> <p>18 when --</p> <p>19 ZONING ADMINISTRATOR REDILA: When we now</p> <p>20 require --</p> <p>21 BOARD MEMBER PEREZ: The eleven.</p> <p>22 ZONING ADMINISTRATOR REDILA: -- driveways</p> <p>23 leading to a garage, carport, porte-cochère and</p> <p>24 also that it should be a minimum of 7 feet</p> <p>25 wide.</p>

<p style="text-align: right;">Page 109</p> <p>1 BOARD MEMBER PEREZ: Okay. So they are --</p> <p>2 it's a cosmetic improvement, but they are</p> <p>3 abiding to the Code of 11 feet?</p> <p>4 ZONING ADMINISTRATOR REDILA: Yes.</p> <p>5 MR. NUÑEZ: Yeah. It's a reduction -- a</p> <p>6 reduction of the whole.</p> <p>7 I have to --</p> <p>8 BOARD MEMBER PEREZ: And I guess they are</p> <p>9 adding to their green space because everything</p> <p>10 that's --</p> <p>11 BOARD MEMBER CABRERA: That's correct.</p> <p>12 BOARD MEMBER PEREZ: The car that's in</p> <p>13 front of the drive -- or sorry. The car that</p> <p>14 is in front of the -- the door that's all going</p> <p>15 landscape now.</p> <p>16 Right?</p> <p>17 MR. MILNE: There is going to be a pathway</p> <p>18 between those two trees leading to the front,</p> <p>19 but yes.</p> <p>20 BOARD MEMBER PEREZ: So you are increasing</p> <p>21 the green space?</p> <p>22 MR. MILNE: Correct. Yes.</p> <p>23 MR. NUÑEZ: There you go.</p> <p>24 BOARD MEMBER CABRERA: I have another</p> <p>25 question, but this one is for Staff. Since the</p>	<p style="text-align: right;">Page 110</p> <p>1 new Zoning Code in 2018 of 11 feet if a</p> <p>2 homeowner who had a driveway originally fifteen</p> <p>3 feet were to come to you would they be</p> <p>4 grandfathered in or they would have to do an 11</p> <p>5 foot driveway?</p> <p>6 ZONING ADMINISTRATOR REDILA: If they are</p> <p>7 not making any changes and it -- it's still</p> <p>8 there, this -- that -- this application came in</p> <p>9 as a new driveway.</p> <p>10 BOARD MEMBER CABRERA: Right. I</p> <p>11 understand. Okay.</p> <p>12 ASSISTANT CITY ATTORNEY FRIEDMAN: If</p> <p>13 there are no further questions from the Board,</p> <p>14 we can open it up for public comment through</p> <p>15 the Chair.</p> <p>16 VICE CHAIRPERSON PEREZ: Any -- any</p> <p>17 questions regarding this? No.</p> <p>18 ZONING ADMINISTRATOR REDILA: Is there</p> <p>19 anyone?</p> <p>20 ASSISTANT CITY ATTORNEY FRIEDMAN: Is</p> <p>21 there anyone from the public who would like to</p> <p>22 speak on this item?</p> <p>23 If so, please raise your hand or send us a</p> <p>24 message so we can unmute you.</p> <p>25 VICE CHAIRPERSON PEREZ: Do we have a --</p>
<p style="text-align: right;">Page 111</p> <p>1 no one.</p> <p>2 Right? We have a motion to approve?</p> <p>3 ASSISTANT CITY ATTORNEY FRIEDMAN: So --</p> <p>4 VICE CHAIRPERSON PEREZ: Disapprove?</p> <p>5 ASSISTANT CITY ATTORNEY FRIEDMAN: --</p> <p>6 no -- no one is available from the public. So</p> <p>7 you can close the public hearing and resume</p> <p>8 deliberations.</p> <p>9 VICE CHAIRPERSON PEREZ: Okay. We -- we</p> <p>10 need to move to -- to vote on this.</p> <p>11 Right?</p> <p>12 BOARD MEMBER WOLMAN: I will make a motion</p> <p>13 to approve as -- as written.</p> <p>14 BOARD MEMBER CABRERA: I second that</p> <p>15 motion.</p> <p>16 ZONING ADMINISTRATOR REDILA: Can --</p> <p>17 VICE CHAIRPERSON PEREZ: Those in favor?</p> <p>18 ZONING ADMINISTRATOR REDILA: I will</p> <p>19 make -- I will make --</p> <p>20 I will make a call?</p> <p>21 VICE CHAIRPERSON PEREZ: Yeah.</p> <p>22 ZONING ADMINISTRATOR REDILA: Roll call.</p> <p>23 Mr. Cabrera.</p> <p>24 BOARD MEMBER CABRERA: Yes.</p> <p>25 ZONING ADMINISTRATOR REDILA: Ms. Murado.</p>	<p style="text-align: right;">Page 112</p> <p>1 BOARD MEMBER MURADO: Yes.</p> <p>2 ZONING ADMINISTRATOR REDILA: Mr. Albert</p> <p>3 Perez.</p> <p>4 VICE CHAIRPERSON PEREZ: Yes.</p> <p>5 ZONING ADMINISTRATOR REDILA: Mr. Wolman.</p> <p>6 BOARD MEMBER WOLMAN: Yes.</p> <p>7 ZONING ADMINISTRATOR REDILA: Mr. Gustave</p> <p>8 Perez.</p> <p>9 VICE CHAIRPERSON PEREZ: Yes.</p> <p>10 ASSISTANT CITY ATTORNEY FRIEDMAN: Motion</p> <p>11 granted.</p> <p>12 ZONING ADMINISTRATOR REDILA: Okay.</p> <p>13 MR. NUÑEZ: Thank you. Thank you very</p> <p>14 much.</p> <p>15 ASSISTANT CITY ATTORNEY FRIEDMAN: And</p> <p>16 just for the record I -- I would like to state</p> <p>17 that Ms. Pinon did leave for the duration of</p> <p>18 the meeting, not just the prior item just for</p> <p>19 clarification.</p> <p>20 ZONING ADMINISTRATOR REDILA: And also at</p> <p>21 the meeting -- our next meeting are -- or --</p> <p>22 will be on January sixth.</p> <p>23 You might have some items. We are working</p> <p>24 some applications.</p> <p>25 MR. NUÑEZ: Are we dismissed?</p>

<p style="text-align: right;">Page 113</p> <p>1 VICE CHAIRPERSON PEREZ: Do we have a</p> <p>2 motion to dismiss?</p> <p>3 MR. NUÑEZ: Yes. Motion to dismiss.</p> <p>4 BOARD MEMBER CABRERA: I make a motion to</p> <p>5 adjourn.</p> <p>6 VICE CHAIRPERSON PEREZ: Adjourn.</p> <p>7 BOARD MEMBER CABRERA: Do we have to make</p> <p>8 a motion?</p> <p>9 Yeah. Motion to adjourn.</p> <p>10 BOARD MEMBER WOLMAN: Second.</p> <p>11 BOARD MEMBER PEREZ: Second.</p> <p>12 ZONING ADMINISTRATOR REDILA: 10:35.</p> <p>13 VICE CHAIRPERSON PEREZ: All those in</p> <p>14 favor?</p> <p>15 BOARD MEMBER PEREZ: Aye.</p> <p>16 VICE CHAIRPERSON PEREZ: Aye.</p> <p>17 BOARD MEMBER CABRERA: Aye.</p> <p>18 BOARD MEMBER WOLMAN: Aye.</p> <p>19 BOARD MEMBER MURADO: Aye.</p> <p>20 ZONING ADMINISTRATOR REDILA: Thank you so</p> <p>21 much.</p> <p>22 ASSISTANT CITY ATTORNEY FRIEDMAN: Thank</p> <p>23 you all.</p> <p>24 BOARD MEMBER MURADO: Thank you.</p> <p>25 ZONING ADMINISTRATOR REDILA: Thank you.</p>	<p style="text-align: right;">Page 114</p> <p>1 (Thereupon, the City of Coral</p> <p>2 Gables Board of Adjustment</p> <p>3 concluded at 10:40 a.m.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 115</p> <p>1 CERTIFICATE OF OATH</p> <p>2 STATE OF FLORIDA</p> <p>3 COUNTY OF MIAMI-DADE</p> <p>4</p> <p>5 I, ELIAS MARTINEZ, Notary Public in and</p> <p>6 for the State of Florida at Large, do hereby certify</p> <p>7 that MARIA C. CRUZ, personally appeared before me on</p> <p>8 this 2nd day of December, 2024, and was by me duly</p> <p>9 sworn.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14 _____</p> <p>ELIAS MARTINEZ, Notary Public</p> <p>State of Florida at Large</p> <p>15</p> <p>16</p> <p>17</p> <p>18 My Commission: HH 396306</p> <p>My Commission Expires: June 6, 2027</p> <p>19 Bonded through Huckleberry Notary Bonding</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 116</p> <p>1 CERTIFICATE OF OATH</p> <p>2 STATE OF FLORIDA</p> <p>3 COUNTY OF MIAMI-DADE</p> <p>4</p> <p>5 I, ELIAS MARTINEZ, Notary Public in and</p> <p>6 for the State of Florida at Large, do hereby certify</p> <p>7 that DUNCAN MILNE, personally appeared before me on</p> <p>8 this 2nd day of December, 2024, and was by me duly</p> <p>9 sworn.</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14 _____</p> <p>ELIAS MARTINEZ, Notary Public</p> <p>State of Florida at Large</p> <p>15</p> <p>16</p> <p>17</p> <p>18 My Commission: HH 396306</p> <p>My Commission Expires: June 6, 2027</p> <p>19 Bonded through Huckleberry Notary Bonding</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">Page 117</p> <p>1                    CERTIFICATE OF OATH 2        STATE OF FLORIDA 3        COUNTY OF MIAMI-DADE 4 5                    I, ELIAS MARTINEZ, Notary Public in and 6        for the State of Florida at Large, do hereby certify 7        that ENRIQUE NUÑEZ, personally appeared before me on 8        this 2nd day of December, 2024, and was by me duly 9        sworn. 10 11 12 13 14                    _____                          ELIAS MARTINEZ, Notary Public                          State of Florida at Large 15 16 17 18        My Commission: HH 396306              My Commission Expires: June 6, 2027 19        Bonded through Huckleberry Notary Bonding 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 118</p> <p>1                    CERTIFICATE OF REPORTER 2                    I, Elias Martinez, Court Reporter, certify 3        that I was authorized to and did transcribe a 4        City of Coral Gables Board of Adjustment Board 5        meeting of and that the transcript is a true record 6        of the testimony given at the meeting. 7                    I further certify that I am not a 8        relative, employee, attorney, or Counsel of any of 9        the parties nor am I a relative or employee of any 10       of the parties, attorney, or Counsel connected with 11       the action, nor am I financially interested in the 12       action. 13                    Dated this 6th day of January, 2025. 14 15                    _____                          ELIAS MARTINEZ 16 17 18 19 20 21 22 23 24 25</p>