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1 MR. TORRE: He took it out.
 2 MR. WITHERS: I'll second it.
 3 MS. VELEZ: I'll second it.
 4 MR. BEHAR: You will second it?
 5 MR. TORRE: Is it Maria or is it Chip?
 6 MS. VELEZ: Chip.
 7 MR. BEHAR: All right. Jill, can you
 8 please call the roll?
 9 THE SECRETARY: Maria Velez?
 10 MS. VELEZ: Yes.
 11 THE SECRETARY: Chip Withers?
 12 MR. WITHERS: Yes.
 13 THE SECRETARY: Rhonda Anderson?
 14 MS. ANDERSON: Yes.
 15 THE SECRETARY: Rene Murai?
 16 MR. MURAI: Yes.
 17 THE SECRETARY: Venny Torre?
 18 MR. TORRE: Yes.
 19 THE SECRETARY: Robert Behar?
 20 MR. BEHAR: Yes.
 21 MR. GARCIA-SERRA: Thank you very much.
 22 Good night.
 23 MR. PRATT: Thank you. We'll take a look
 24 at those issues and get back. Thank you.
 25 MR. TORRE: Thank you, guys.

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1 language. And this is the Ordinance that the
 2 Commission took a look at recently, and is
 3 before you.
 4 I'll be happy to discuss it in any detail
 5 you'd like, but it is pretty self-explanatory,
 6 in terms of the regulations and the features
 7 that we believe will be appropriate.
 8 MS. ANDERSON: What was different from the
 9 Ordinance we looked at previously?
 10 MR. TRIAS: It's been re-arranged a little
 11 bit. New content -- let me see -- I think we
 12 have clarified that the landscape will obscure
 13 the ground level from neighboring properties.
 14 MS. ANDERSON: Okay.
 15 MR. TRIAS: And I think that's basically --
 16 I mean, it's basically the same content as
 17 before.
 18 MS. VELEZ: My only concern on this is, B,
 19 5-107-B, "So it shall not exceed 120 square
 20 feet." We could conceivably have a playhouse
 21 that's 120 square feet?
 22 MR. TRIAS: That's what it says, yes.
 23 MS. VELEZ: I can see that for the jungle
 24 gym and the swing set, but I don't want to see
 25 a 120-foot playhouse.

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1 MS. VELEZ: Thank you.
 2 MR. BEHAR: All right. Our last item, E-5.
 3 Can you please, Mr. Attorney, read it in for
 4 the record?
 5 MR. WITHERS: Venny is going to have to
 6 tear down his treehouse. He's pretty upset
 7 about that.
 8 MR. COLLER: Item E-5, an Ordinance of the
 9 City Commission of Coral Gables, Florida
 10 providing for text amendments to the City of
 11 Coral Gables Official Zoning Code, by amending
 12 Article 5, "Development Standards," Section
 13 5-107, "Playhouse," and Section 109,
 14 "Recreational Equipment," clarifying provisions
 15 for play structures and recreational equipment;
 16 providing for severability clause,
 17 codification, and providing for an effective
 18 date.
 19 Item E-5, public hearing.
 20 MR. TRIAS: Mr. Chairman, this item has
 21 been discussed before, some months ago. We
 22 talked in this meeting about the treehouse, the
 23 possible regulations and so on.
 24 Since then, a lot of discussion has taken
 25 place. We've revised some of the original

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1 MR. TRIAS: Yeah. And that's the issue.
 2 The issue is that some of it may be -- let's
 3 say, may have a little roof. It could be like
 4 a little house. But then you add some other
 5 equipment, and so on, and that's where you get
 6 to the 120 feet. That was the thinking.
 7 Certainly, it's a good idea to have some
 8 maximum size, I believe, because otherwise it
 9 may be difficult to enforce. What the right
 10 size is, is certainly subjective.
 11 MS. VELEZ: Yeah. I do like the idea of
 12 having a playhouse. That's wonderful. I know
 13 that for a while they were not allowed. But
 14 120 square feet, that is wide open.
 15 MS. ANDERSON: Yeah, that's pretty big.
 16 MS. VELEZ: Yeah.
 17 MS. ANDERSON: What is the typical size of
 18 playhouses? Does anybody know?
 19 MS. VELEZ: They're small.
 20 MR. WITHERS: Well, if you want to use it
 21 as a cabana, it's 120 feet.
 22 MS. ANDERSON: An adult playhouse.
 23 (Simultaneous speaking.)
 24 MS. VELEZ: Right. So we don't want to
 25 have that possibility.

1 MS. ANDERSON: Is it five by five, six by
 2 six?
 3 MR. TRIAS: You're not allowed to have
 4 plumbing in it. No plumbing.
 5 MS. ANDERSON: No plumbing, but you could
 6 put like a ceiling fan in it.
 7 MR. MURAI: What does recreational
 8 equipment have to do with it? I don't
 9 understand. I mean, you can have a swing. You
 10 can always have a swing.
 11 MS. ANDERSON: You can't have it in the
 12 front yard.
 13 MR. TRIAS: Mr. Murai, I'll answer your
 14 question directly. All of that is already in
 15 the Code, so we are adding and subtracting from
 16 existing language. If you don't think it's
 17 appropriate, we could take it out.
 18 MS. ANDERSON: Once upon a time, you could
 19 have a swing set in the front yard.
 20 MR. MURAI: But a Zoning permit without a
 21 fee for a swing set?
 22 MR. TRIAS: No. No.
 23 MR. MURAI: "The following conditions,
 24 restrictions should apply. A Zoning permit
 25 without a fee."

1 to do with --
 2 MR. TRIAS: That's a very good way to look
 3 at it. I mean, the main issue here of real
 4 significance, in terms of the public space of
 5 the City, is that everything is going to be in
 6 the rear or screened and not visible from the
 7 street.
 8 MS. ANDERSON: Right.
 9 MR. WITHERS: So let me ask you about the
 10 screening. If the swing set is fifteen feet
 11 tall, does the screening have to go fifteen
 12 feet, all of the way to the top?
 13 MR. TRIAS: Well, no, not really, because
 14 what we're seeing here is, at ground level,
 15 from the neighbors, it should be screened. So
 16 it doesn't have to go all of the way to the
 17 top.
 18 MR. BEHAR: But what is ground level?
 19 MR. WITHERS: Four feet.
 20 MS. ANDERSON: It's subjective, isn't it?
 21 MR. TRIAS: Just like you, I have had a
 22 chance to work on many Codes, through many
 23 years, and I cannot find the perfect Code. So
 24 this is an attempt at doing something that is
 25 very difficult to quantify and it requires

1 MR. TRIAS: I think it would have to be
 2 more of a structure. I think a swing set -- I
 3 mean, we could clarify that a little bit more.
 4 MR. WITHERS: Yeah, it has to be a big
 5 yellow tube slide and the little tent up on top
 6 of it. I mean, some of these things are huge.
 7 MS. VELEZ: I just don't want to see a
 8 stuccoed 120 square feet playhouse.
 9 MR. TRIAS: We could -- we could clarify
 10 that a little bit more, the dimensions.
 11 MS. VELEZ: What is envisioned by sport and
 12 exercise equipment?
 13 MR. MURAI: I don't know what that is,
 14 either.
 15 MS. ANDERSON: One of those trampolines.
 16 MR. MURAI: But that has never required a
 17 permit.
 18 MR. TRIAS: Well, if there's some features
 19 that are objectionable, we could list those and
 20 say, "Prohibited features are X, Y or Z."
 21 MS. ANDERSON: Well, I think the intent
 22 here is to have the trampolines on the side
 23 yard and the backyard, as opposed to in the
 24 front yard.
 25 MR. MURAI: But this doesn't have anything

1 certain, I guess, opinions.
 2 The issue here is that, if there is a
 3 neighbor, for example, that has an objection to
 4 a structure, there's enough language here to
 5 deal with the objections. There has to be
 6 screening, landscaping, et cetera. That I
 7 think will be the most typical use of this
 8 Ordinance, when two neighbors don't agree and
 9 there's a need to have some screen.
 10 MS. ANDERSON: But shouldn't we define the
 11 height of the screening, like a six-foot hedge
 12 or, you know --
 13 MR. TRIAS: Intuitively, it sounds like a
 14 good idea to have more detail and I think
 15 that's what most people would think, but the
 16 reality is that, in terms of the Code, the Code
 17 that can be used and is practical, some
 18 flexibility goes a long way.
 19 MS. ANDERSON: It does, but if your
 20 neighbor is objecting to it and your neighbor
 21 is not one of the more reasonable individuals
 22 in the community, if you have a six-foot hedge
 23 there, they could complain that they can still
 24 see the top of the swing, so now we want it up
 25 at ten or twelve feet. Is that what we want?

1 MR. TRIAS: No, I don't think so. I would
 2 not recommend a twelve-foot hedge.
 3 MS. ANDERSON: Okay. So should we provide
 4 some clarity here then?
 5 MR. MURAI: But swing sets are not twelve
 6 feet high.
 7 MR. COLLER: Mr. Chairman, it's been a
 8 tradition of this Committee, when we're about
 9 to go past nine o'clock, that we extend the
 10 time.
 11 MR. MURAI: We're not.
 12 MR. BEHAR: We're not.
 13 MR. COLLER: Okay.
 14 (Simultaneous speaking.)
 15 MR. BEHAR: We may have to put this item
 16 and need for it to come back to us.
 17 MR. MURAI: A suggestion is that the Zoning
 18 permit should apply to the structure, not to a
 19 wing set or whatever. I think, I mean, you
 20 have to divide it.
 21 MR. TRIAS: Yes. I think we can make it
 22 more clear.
 23 MR. MURAI: Play structure, you know, not
 24 to exceed whatever. I mean, 120 feet sounds
 25 like a lot, if you're talking about a

1 one.
 2 MR. TRIAS: The only thing that I would say
 3 is that I think the Commission wants to do the
 4 Second Reading relatively soon. So I don't
 5 think they're thinking in terms of delaying
 6 this.
 7 MR. WITHERS: They can deal with it.
 8 MR. MURAI: Bring it up next moth.
 9 MR. TORRE: I'm ready to move it.
 10 MR. BEHAR: Move it. Go ahead. You want
 11 to move it.
 12 MR. TORRE: I'm moving this item for
 13 approval.
 14 MS. ANDERSON: With no addendums to the
 15 size of the playhouse?
 16 MR. TORRE: I think I trust Mr. Trias to do
 17 the right thing.
 18 MR. MURAI: I'm against it. I mean, I
 19 don't want to see the Ordinance being
 20 interpreted as requiring a Zoning permit for a
 21 swing set. That's the way it reads.
 22 MR. TRIAS: We can clarify that, if you
 23 don't mind, Mr. Torre --
 24 MR. TORRE: I think what it means is, if
 25 I'm going to build you a two-by-four house and

1 playhouse, you know, whatever, and for that you
 2 need a Zoning permit. But to put a swing set,
 3 we would have everybody in Coral Gables
 4 violating that one for sure.
 5 MR. TRIAS: Pretty much, yeah. No, I
 6 agree. We could clarify that.
 7 MR. BEHAR: I think that's a good point to
 8 put this item for now on a revisit and clarify
 9 where --
 10 MR. MURAI: A question. Designed and
 11 constructed to playground standards, what does
 12 that mean?
 13 MR. TRIAS: Well, what happens is that one
 14 will not get a building permit for this type of
 15 structure. Usually you would buy something
 16 that is already manufactured and so on. And
 17 that's what the playground standards means.
 18 There are some standards for manufacturers
 19 for safety, that are not in the Building Code,
 20 but to have any more detail, I mean, it --
 21 MR. MURAI: I know, but, I mean, the
 22 structure, whether it's ten by twelve or it's
 23 six by six, is not to playground standards -- I
 24 mean, you have to divide some of these things
 25 here, it seems to me, if you're going to build

1 I'm going to show you how I'm going to build
 2 it, they're going to say, what are you doing?
 3 Are you doing really a two-by-four playhouse or
 4 are you going to do somebody's little shed in
 5 the backyard? I mean, so that kind of
 6 clarifies how it's going --
 7 MR. BEHAR: But if you're going to go to
 8 Toys "R" Us to buy a swing set, do you need a
 9 permit to do that?
 10 MR. TORRE: Of course not.
 11 MR. TRIAS: You don't need a building
 12 permit, and that's the point. The point is,
 13 you don't need a building permit.
 14 MR. MURAI: But it says here you need a
 15 Zoning permit.
 16 MR. TRIAS: However, yeah, a Zoning permit
 17 is something different and that will be
 18 required when the structure is significant and
 19 is right next to a neighbor.
 20 MR. MURAI: A structure, yes, but not a
 21 swing set.
 22 MR. TRIAS: Exactly. I agree with you.
 23 MR. MURAI: You have to divide this
 24 Ordinance, because the way it reads right not,
 25 it says that, for a swing set, I need a Zoning

1 permit, and it also says that I can build a ten
 2 by twelve, which is a cabana.
 3 MR. TRIAS: I don't disagree. I don't
 4 think it says exactly that, but I think we can
 5 make it more clear, absolutely.
 6 MS. ANDERSON: Okay.
 7 MR. MURAI: As a lawyer, I can tell you
 8 that it says exactly that.
 9 MS. ANDERSON: Yeah. Paragraph A --
 10 MR. BEHAR: I'm not a lawyer, but I follow
 11 my colleague's advice.
 12 MR. TORRE: So you want it to be that only
 13 play structures should have a Zoning permit and
 14 not recreational equipment? Okay. So
 15 that's --
 16 MR. TRIAS: Okay. Why don't we do that?
 17 MR. TORRE: Can I make that motion, to make
 18 that distinction?
 19 MR. MURAI: And I don't think a ten by
 20 twelve is a play structure. I think that's a
 21 cabana. That's the size of my cabana.
 22 MR. TRIAS: Is there some other size that
 23 is more appropriate?
 24 MR. MURAI: I have no idea what it should
 25 be. Ask Chip. He apparently knows.

1 MR. WITHERS: Yes.
 2 THE SECRETARY: Maria Velez?
 3 MS. VELEZ: Yes.
 4 THE SECRETARY: Venny Torre?
 5 MR. TORRE: Yes.
 6 THE SECRETARY: Rene Murai?
 7 MR. MURAI: Yes.
 8 THE SECRETARY: Rhonda Anderson?
 9 MS. ANDERSON: Yes.
 10 THE SECRETARY: Robert Behar?
 11 MR. BEHAR: Yes.
 12 Motion to adjourn.
 13 MR. COLLER: Wait. We didn't ask for any
 14 other comments, but let the record reflect only
 15 Staff is in the room.
 16 MS. ANDERSON: Okay.
 17 MR. BEHAR: Thank you. Motion to adjourn?
 18 MS. VELEZ: Moved.
 19 MR. TORRE: Second.
 20 MR. BEHAR: All in favor?
 21 (Thereupon, the Board Members voted aye.)
 22 (Thereupon, the meeting was concluded at 8:57
 23 p.m.)
 24
 25

1 MR. WITHERS: Well, my playhouse is 75
 2 square feet. No, I'm just kidding.
 3 I don't know, 50, 75? I don't know. I
 4 think 120 is kind of big, too.
 5 MR. TRIAS: Okay.
 6 MR. BEHAR: 60 square feet.
 7 MR. WITHERS: 60 square feet.
 8 MS. VELEZ: There you go.
 9 MR. TORRE: Six zero?
 10 MR. BEHAR: Okay.
 11 MR. WITHERS: It's ten by six. It's still
 12 pretty big.
 13 MS. ANDERSON: It's still pretty big,
 14 but --
 15 MR. BEHAR: That's fine.
 16 MR. TORRE: All right. So we're going to
 17 make the motion with this addendum, play
 18 structures should be having a Zoning, not
 19 recreational equipment, and the maximum square
 20 footage of those structures will be sixty feet.
 21 MR. MURAI: Second.
 22 MR. BEHAR: Jill, please call the roll.
 23 MS. ANDERSON: Call the roll. You've got
 24 to hurry up.
 25 THE SECRETARY: Chip Withers?

1 CERTIFICATE
 2
 3 STATE OF FLORIDA:
 4 SS.
 5 COUNTY OF MIAMI-DADE:
 6
 7
 8
 9 I, NIEVES SANCHEZ, Court Reporter, and a Notary
 10 Public for the State of Florida at Large, do hereby
 11 certify that I was authorized to and did
 12 stenographically report the foregoing proceedings and
 13 that the transcript is a true and complete record of my
 14 stenographic notes.
 15
 16 DATED this 16th day of January, 2020.
 17
 18
 19
 20 _____
 21 NIEVES SANCHEZ
 22
 23
 24
 25