

<p style="text-align: right;">Page 1</p> <p style="text-align: center;">THE CITY OF CORAL GABLES BOARD OF ADJUSTMENT</p> <p style="text-align: center;">405 Biltmore Way Coral Gables, Florida 33134 (Also Via Zoom) February 1, 2021 9:00 a.m. to 9:39 a.m.</p> <p>Board Members Present: Maria D. Garcia Jorge Otero Gema Pinon Jack Thomson Javier Salman Kathleen Kauffman</p> <p>City Staff and Consultants:</p> <p>Stephanie Throckmorton, Asst. City Attorney Arceli Redila Principal Planner Ana Restrepo</p>	<p style="text-align: right;">Page 3</p> <p>1 If everybody on the board had the minutes and 2 you had a moment to review them, is there anybody 3 who would move to approve the minutes from the last 4 meeting?</p> <p>5 UNIDENTIFIED SPEAKER: So moved. 6 MS. GARCIA: Do we have a second? 7 UNIDENTIFIED SPEAKER: Second. 8 MS. GARCIA: Okay. Role call for approval? 9 MS. REDILA: Mr. Otero? 10 MR. OTERO: Yes. 11 MS. REDILA: Ms. Kauffman? 12 MS. KAUFFMAN: Yes. 13 MS. REDILA: Ms. Pinon? 14 MS. PINON: Yes. 15 MS. REDILA: Mr. Salman? 16 MR. SALMAN: Yes. 17 MS. REDILA: Mr. Thomson? 18 MR. THOMSON: Yes. 19 MS. REDILA: Ms. Garcia? 20 MS. GARCIA: Yes. 21 Okay. Thank you. So let's go ahead and jump 22 into the meeting. 23 So good morning, everyone. Just a few things 24 to go over before we have our guests come up. 25 The board of adjustment is comprised of seven</p>
<p style="text-align: right;">Page 2</p> <p>1 MS. GARCIA: Hi. Good morning, everyone, it's 2 Maria Garcia. Thank you for joining us today for 3 this meeting. 4 So I imagine everybody has the agenda I have 5 as well here. So we're just going to get started, 6 and then we could have our guest today speak as 7 well. 8 So let's call the meeting to order. I believe 9 we have to do role call first. 10 MS. REDILA: Mr. Otero? 11 MR. OTERO: Present. 12 MS. REDILA: Ms. Kauffman? 13 MS. KAUFFMAN: Present. 14 MS. REDILA: Ms. Pinon? 15 MS. PINON: Present. 16 MS. REDILA: Mr. Salman? 17 MR. SALMAN: Present. 18 MS. REDILA: Mr. Thomson? 19 MR. THOMSON: Present. 20 MS. REDILA: Mr. Sotelo, he will not be able 21 to make it. 22 And, Ms. Garcia? 23 MS. GARCIA: Present. 24 And then let's move into the approval of 25 minutes and then we'll start the agenda.</p>	<p style="text-align: right;">Page 4</p> <p>1 members. Four members of the board shall 2 constitute a quorum and the affirmative vote of 3 four members of the board present shall be 4 necessary to authorize or deny a variance or grant 5 an appeal. 6 A tie vote shall result in the automatic 7 continuance of the matter for the next meeting 8 which shall be continued until a majority vote is 9 achieved. If only four members of the board are 10 present, an applicant shall be entitled to a 11 postponement to the next regularly scheduled 12 meeting of the board. 13 Any person who acts as a lobbyist pursuant to 14 the City of Coral Gables Ordinance No. 2006-11 must 15 register with the city clerk prior to engaging in 16 lobbying activities or presentations before the 17 city staff, boards, committees, and/or city 18 commission. 19 A copy of the ordinance is available in the 20 office of the city clerk. Failure to register and 21 provide proof of registration shall prohibit your 22 ability to present to the board. 23 I now officially call the meeting to order. 24 Please be advised that this board is a 25 quasi-judicial board and items on the agenda are</p>

<p style="text-align: right;">Page 5</p> <p>1 quasi in nature which requires board members to</p> <p>2 disclose all ex parte communications and site</p> <p>3 visits. An ex parte communication is defined as</p> <p>4 any contact, communication, conversation,</p> <p>5 correspondence, memorandum or other written or</p> <p>6 verbal communication that takes place outside of a</p> <p>7 public hearing between a member of the public and a</p> <p>8 member of a quasi-judicial board regarding matters</p> <p>9 to be heard by the board.</p> <p>10 If anyone made any contact with a board member</p> <p>11 regarding any issue before the board, the board</p> <p>12 member must state on the record the existence of</p> <p>13 the ex parte communication and the party who</p> <p>14 originated the communication.</p> <p>15 Also if a board member conducted a site visit</p> <p>16 specifically related to the case before the board</p> <p>17 today, the board member must also disclose such</p> <p>18 visit.</p> <p>19 In either case, the board member must state on</p> <p>20 the record whether the ex parte communication</p> <p>21 and/or site visit will affect the board member's</p> <p>22 ability to impartially consider the evidence to be</p> <p>23 presented regarding the matter. The board member</p> <p>24 should also state that his or her decision will be</p> <p>25 based on substantial competent evidence and</p>	<p style="text-align: right;">Page 7</p> <p>1 staff who will be testifying.</p> <p>2 THE COURT REPORTER: Good morning. I'm sorry.</p> <p>3 This is my first one.</p> <p>4 Could you please raise your right hand.</p> <p>5 Do you swear or affirm to tell the truth, the</p> <p>6 whole truth and nothing but the truth?</p> <p>7 (ALL): I do.</p> <p>8 MS. GARCIA: Thank you.</p> <p>9 And please also while we start the meeting, in</p> <p>10 deference to those present, we ask that all cell</p> <p>11 phones, pagers, and other electrical devices please</p> <p>12 be turned off.</p> <p>13 And now we can proceed with the presentation.</p> <p>14 MS. THROCKMORTON: (Inaudible.)</p> <p>15 MS. GARCIA: I'm sorry, Stephanie, there was</p> <p>16 background when you were speaking.</p> <p>17 MS. THROCKMORTON: Could we please consider</p> <p>18 the rules of procedure prior to the applicant</p> <p>19 presenting the variance?</p> <p>20 MS. GARCIA: Yes.</p> <p>21 So let's go to new business first. We have</p> <p>22 the rules of procedure which should be attached to</p> <p>23 your agenda. It's 21-2016, it's the procedure now</p> <p>24 that we have hybrid meetings. If the board has had</p> <p>25 a moment to look at those, they should be included</p>
<p style="text-align: right;">Page 6</p> <p>1 testimony presented on the record today.</p> <p>2 Does any member of the board have such</p> <p>3 communication and/or site visit to disclose at this</p> <p>4 time?</p> <p>5 Okay. Thank you, everybody.</p> <p>6 Now we're going to move forward with the</p> <p>7 swearing in of everybody who's going to be speaking</p> <p>8 today. Everyone who speaks today must complete the</p> <p>9 roster on the podium. We ask that you print</p> <p>10 clearly so the official records of your name and</p> <p>11 address will be correct.</p> <p>12 Now with the exception of attorneys, all</p> <p>13 persons who will speak on the agenda items before</p> <p>14 us this morning, please rise to be sworn in.</p> <p>15 MS. REDILA: Madam chair?</p> <p>16 MS. GARCIA: Yes.</p> <p>17 MS. REDILA: We only have one, the applicant.</p> <p>18 MS. GARCIA: Okay. I see we have Mr. Larson</p> <p>19 who will be speaking.</p> <p>20 MR. LARSON: Good morning. How are you doing?</p> <p>21 MS. THROCKMORTON: Anyone from staff who will</p> <p>22 be testifying shall be sworn in as well.</p> <p>23 MS. GARCIA: Thank you, Stephanie.</p> <p>24 MS. THROCKMORTON: We're getting the court</p> <p>25 reporter unmuted to swear in the applicant and</p>	<p style="text-align: right;">Page 8</p> <p>1 in your packet. Are there any questions so we can</p> <p>2 go ahead and approve those prior to starting?</p> <p>3 Okay. Stephanie, do we need a vote from the</p> <p>4 board on that?</p> <p>5 MS. THROCKMORTON: Yes, please.</p> <p>6 In regards to the procedures for these hybrid</p> <p>7 meetings, the applicants will be appearing via</p> <p>8 Zoom. The public can participate via Zoom or</p> <p>9 outside here at City Hall. It just lays out the</p> <p>10 procedures for these types of hearings.</p> <p>11 I'm happy to answer any specific questions,</p> <p>12 but we do need to adopt them prior to going</p> <p>13 forward. And I believe the applicant was made</p> <p>14 aware of these procedures before proceeding today</p> <p>15 as well.</p> <p>16 MS. GARCIA: Board, do we have a motion to</p> <p>17 approve?</p> <p>18 UNIDENTIFIED SPEAKER: So moved.</p> <p>19 MS. GARCIA: Do we have a second?</p> <p>20 UNIDENTIFIED SPEAKER: Second.</p> <p>21 (Inaudible) more people need to be here</p> <p>22 present.</p> <p>23 MS. THROCKMORTON: Yeah, so just to --</p> <p>24 UNIDENTIFIED SPEAKER: That's really the crux</p> <p>25 of the whole issue.</p>

<p style="text-align: right;">Page 9</p> <p>1 MS. THROCKMORTON: To clarify, given the</p> <p>2 order -- the order that's expired from the</p> <p>3 Governor, we need to have an in-person quorum for</p> <p>4 meetings, so that means that this board would need</p> <p>5 to have four people present in person. Anyone else</p> <p>6 can participate via Zoom, including the applicant</p> <p>7 or other board members.</p> <p>8 So today we have the four of you present so we</p> <p>9 have a quorum in the room, and so those procedures</p> <p>10 just spell out that requirement and the steps for</p> <p>11 the applicant proceeding via Zoom and/or outside</p> <p>12 here in the building.</p> <p>13 UNIDENTIFIED SPEAKER: I'll move to</p> <p>14 (inaudible).</p> <p>15 MS. THROCKMORTON: I believe we already had a</p> <p>16 first.</p> <p>17 MS. GARCIA: Do we have a second now?</p> <p>18 UNIDENTIFIED SPEAKER: Yes.</p> <p>19 MS. THROCKMORTON: Yes.</p> <p>20 MS. GARCIA: Role call for the vote?</p> <p>21 UNIDENTIFIED SPEAKER: Yes.</p> <p>22 UNIDENTIFIED SPEAKER: Yes.</p> <p>23 UNIDENTIFIED SPEAKER: Yes.</p> <p>24 MS. GARCIA: Arceli, you're on mute, but my</p> <p>25 answer is yes.</p>	<p style="text-align: right;">Page 11</p> <p>1 a dock and a boat lift. This dock was also a</p> <p>2 variance approved back in 2009. Now, because of</p> <p>3 the location of the property, as you can see, it's</p> <p>4 almost kind of like a double frontage. The</p> <p>5 applicant is proposing another dock on the east</p> <p>6 side with the same situation as previously granted.</p> <p>7 There's mangroves that prevents them to abide by</p> <p>8 the code, so this is the minimum they could have to</p> <p>9 extend 36 feet; same situation as the one that was</p> <p>10 granted in 2009.</p> <p>11 And the canal, so because we have the</p> <p>12 regulation that they have to maintain 75 feet of</p> <p>13 navigable waterway, with this situation if granted</p> <p>14 there would still be a 78 feet navigable waterway.</p> <p>15 Staff is supporting the application. If you</p> <p>16 have any questions the applicant is online,</p> <p>17 Mr. Larson.</p> <p>18 MR. LARSON: Would you guys like me to make a</p> <p>19 little presentation or?</p> <p>20 MS. GARCIA: That would be good.</p> <p>21 MS. REDILA: Maybe we can have the applicant</p> <p>22 first explain your case.</p> <p>23 MR. LARSON: All right, ladies and gentlemen,</p> <p>24 Glen Larson from Dock & Marine Construction</p> <p>25 representing the owner. My office is located at</p>
<p style="text-align: right;">Page 10</p> <p>1 MS. THROCKMORTON: Arceli, I don't believe</p> <p>2 Ms. Kauffman voted if you could clarify that.</p> <p>3 MS. KAUFFMAN: I vote yes to approve them.</p> <p>4 MS. GARCIA: Okay. All right. Motion</p> <p>5 approved. We'll move forward with the hybrid Zoom</p> <p>6 procedures for now.</p> <p>7 We would like to start our presentations, and</p> <p>8 I believe Mr. Larson, or the City, who will be</p> <p>9 speaking first?</p> <p>10 MS. REDILA: May I have the presentation,</p> <p>11 please?</p> <p>12 Good morning, members of the board, and for</p> <p>13 the people joining us online, good morning.</p> <p>14 For the record, my name is Arceli Redila from</p> <p>15 planning and zoning. The item before you today is</p> <p>16 for a variance for a single-family home at 9501</p> <p>17 Journey's End Lane.</p> <p>18 The request is to allow a wood dock to extend</p> <p>19 into the waterway 35 feet and six inches where the</p> <p>20 maximum allowed is five feet.</p> <p>21 Now, here's the location of the property.</p> <p>22 Here's an aerial. It is located within the</p> <p>23 Journey's End Estates.</p> <p>24 And just a little background of the property,</p> <p>25 there's already an existing single-family home with</p>	<p style="text-align: right;">Page 12</p> <p>1 752 Northeast 79th Street in Miami, Florida.</p> <p>2 Mr. Lopez purchased the property with the</p> <p>3 intention of docking a large vessel, I believe it's</p> <p>4 95 feet or it might be 105 feet. He discussed</p> <p>5 removing the boat lift at his existing dock with</p> <p>6 his neighbors and there was concern that the large</p> <p>7 boat would interfere with their access to their</p> <p>8 docks. So we looked at the project.</p> <p>9 He had hired another expediter consultant to</p> <p>10 start this process who became ill with I believe</p> <p>11 the COVID and has since disappeared from this</p> <p>12 project.</p> <p>13 So we're looking to build this new dock so</p> <p>14 that he can have the bigger boat there without</p> <p>15 interfering with access for his neighbors in the</p> <p>16 basin.</p> <p>17 DERM has approved this. The Army Corps of</p> <p>18 Engineers has approved this. This project is</p> <p>19 pending your approval.</p> <p>20 MS. GARCIA: Do we have any discussion or</p> <p>21 questions?</p> <p>22 MR. OTERO: Yes. The first variance was</p> <p>23 approved in 2009. Was there any condition on that</p> <p>24 first variance as to a second or third dock being</p> <p>25 approved?</p>

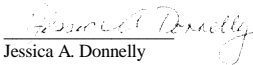
<p style="text-align: right;">Page 13</p> <p>1 MS. REDILA: There is no condition on the</p> <p>2 second and third dock being approved.</p> <p>3 Well, maybe you can see the length of the dock</p> <p>4 on the existing dock. Is that the question?</p> <p>5 MS. THROCKMORTON: Can you please turn on your</p> <p>6 microphones when you're speaking so everyone can</p> <p>7 hear? Thank you.</p> <p>8 UNIDENTIFIED SPEAKER: Did that do it? Can</p> <p>9 you hear it now?</p> <p>10 MS. REDILA: Mr. Larson?</p> <p>11 MR. LARSON: Yes.</p> <p>12 MS. REDILA: The length of the existing dock?</p> <p>13 MR. LARSON: The length of the existing dock,</p> <p>14 I believe the length of this existing dock is</p> <p>15 90 feet, and it has a boat lift at the westernmost</p> <p>16 portion that would accommodate up to a 36-foot</p> <p>17 vessel. We originally had proposed extending that</p> <p>18 dock out, but it would have gone further into the</p> <p>19 waterway to accommodate both vessels, and there was</p> <p>20 a concern with this new vessel, as I said before,</p> <p>21 interfering with the other boaters in the basin</p> <p>22 that have docks.</p> <p>23 MS. REDILA: Yes, Mr. Otero?</p> <p>24 MS. THROCKMORTON: We can't hear.</p> <p>25 MR. OTERO: Now it's on.</p>	<p style="text-align: right;">Page 15</p> <p>1 have one on the north, a water frontage on the</p> <p>2 north, and a water frontage also on the east, on</p> <p>3 the east side. So technically they could have this</p> <p>4 lined up with an entire dock.</p> <p>5 MR. OTERO: Okay. That's three docks.</p> <p>6 MS. REDILA: There's no requirement that says</p> <p>7 how many docks you can have. The question here is</p> <p>8 just the projection of that dock because we only</p> <p>9 allow five feet.</p> <p>10 MR. SALMAN: I don't understand something, and</p> <p>11 that is, we're looking to the aesthetics, number</p> <p>12 one, of the neighborhood, and I think this board</p> <p>13 has been consistently I think good in allowing</p> <p>14 docks where there's no dock at all in existence so</p> <p>15 that the owner of an expensive home can have a boat</p> <p>16 back there.</p> <p>17 He's got a dock that the board of adjustment</p> <p>18 allowed him in 2009 that allows up to 36 feet. The</p> <p>19 moorings out there would seem that they could put a</p> <p>20 50-foot boat in there, but if that interferes with</p> <p>21 the use of something else, I don't know.</p> <p>22 But be that as it may, I'm concerned that</p> <p>23 we're going to have people in the neighborhood</p> <p>24 looking at a shipyard and that's not the intent of</p> <p>25 this board of adjustment. I don't see the hardship</p>
<p style="text-align: right;">Page 14</p> <p>1 I'm having difficulty reaching a yes answer to</p> <p>2 the condition when there is already a dock there.</p> <p>3 It seems the request for the second dock is due to</p> <p>4 the size of the vessel, and this board has heard</p> <p>5 those requests before and this board has denied the</p> <p>6 requests before when the driving influence is the</p> <p>7 size of the vessel, not the condition of the</p> <p>8 property.</p> <p>9 So my question is: How many docks are allowed</p> <p>10 to be built on a residence?</p> <p>11 MS. REDILA: Okay. So let's begin with the</p> <p>12 first one. The request is not to have another</p> <p>13 dock. The request is to allow this dock to extend</p> <p>14 into the waterway where five feet is allowed.</p> <p>15 MR. OTERO: That's not the way I read it.</p> <p>16 MS. REDILA: The code technically does not</p> <p>17 have a requirement as to how many docks you could</p> <p>18 have as long as you abide by the side setback.</p> <p>19 So in this case if we just look at this</p> <p>20 condition right here, most properties only have,</p> <p>21 let's say, 50 feet water frontage or 100 feet water</p> <p>22 frontage. They could technically have that water</p> <p>23 frontage with a dock so long as they abide by the</p> <p>24 side setbacks.</p> <p>25 In this case it's kind of unique because they</p>	<p style="text-align: right;">Page 16</p> <p>1 that leads us to allowing this dock because there's</p> <p>2 already an existing dock that has allowance for a</p> <p>3 very good sized vessel for the owner to use.</p> <p>4 MS. REDILA: In this case --</p> <p>5 MS. GARCIA: Go ahead.</p> <p>6 MS. REDILA: Let's just go back to the</p> <p>7 PowerPoint.</p> <p>8 So there is an existing -- there is already an</p> <p>9 existing dock. If the property owner would be able</p> <p>10 to abide by the five-foot outward projection they</p> <p>11 would be able to have this dock. The request is</p> <p>12 for them to have an outward projection because of</p> <p>13 the mangrove.</p> <p>14 MS. GARCIA: I'm sorry to interrupt. I</p> <p>15 believe Alvaro and Enrique want to speak about</p> <p>16 something, but I think they have to be sworn in</p> <p>17 first.</p> <p>18 MS. THROCKMORTON: Someone wants to speak?</p> <p>19 I'm sorry, Ms. Garcia, who is trying to speak?</p> <p>20 MS. GARCIA: They're on the screen, Alvaro and</p> <p>21 Enrique. They look like they want to speak,</p> <p>22 however, they haven't been sworn in yet so they</p> <p>23 need to be -- if they're going to speak, they need</p> <p>24 to be sworn in.</p> <p>25 MS. THROCKMORTON: Yes, please. Thank you.</p>

<p style="text-align: right;">Page 17</p> <p>1 MS. GARCIA: Alvaro and Enrique you're muted.</p> <p>2 THE COURT REPORTER: There we go.</p> <p>3 Gentlemen, could you please raise your right</p> <p>4 hand.</p> <p>5 Do you swear to tell the truth, the whole</p> <p>6 truth, and nothing but the truth?</p> <p>7 MR. GORRIN: I do.</p> <p>8 ENRIQUE: Yes.</p> <p>9 MS. GARCIA: Okay. Please go ahead.</p> <p>10 ENRIQUE: We are across the canal, Alvaro's</p> <p>11 property, and we believe the canal's going to be</p> <p>12 too narrow once they do the extension of the dock</p> <p>13 plus the boat, the canal is going to be too narrow.</p> <p>14 MS. THROCKMORTON: Can you please state your</p> <p>15 name and who is speaking.</p> <p>16 ENRIQUE: Enrique, a representative for 9350</p> <p>17 Balada Street.</p> <p>18 And I am Alvaro Gorrin, the owner of 9350</p> <p>19 Balada Street.</p> <p>20 MS. GARCIA: So are you a neighbor?</p> <p>21 MR. GORRIN: Across the canal.</p> <p>22 MS. GARCIA: Is there anybody else then who</p> <p>23 would like to speak or have any other questions?</p> <p>24 MS. REDILA: Madam chair, we also received an</p> <p>25 e-mail from a neighbor which I can read into the</p>	<p style="text-align: right;">Page 19</p> <p>1 MR. LARSON: Yes. The main reason for the</p> <p>2 construction of this dock in the proposed location</p> <p>3 was that so Mr. Lopez would be able to park a</p> <p>4 vessel there that would not interfere with the</p> <p>5 direct neighbors, so the neighborhood -- and we</p> <p>6 have letters of no objection from the neighbors</p> <p>7 that are adjacent to his property, and the neighbor</p> <p>8 to the south has basically a dock in the same</p> <p>9 proposed location.</p> <p>10 We're not proposing to encroach on the 75-foot</p> <p>11 waterway width so there's no navigation concerns.</p> <p>12 I understand fully the concerns of the neighbors on</p> <p>13 the other side of the canal, but there's going to</p> <p>14 be plenty of room to navigate from.</p> <p>15 This variance was not requested for any other</p> <p>16 reason than we didn't want to interfere with his</p> <p>17 neighbors with navigation by trying to utilize the</p> <p>18 existing dock in the basin.</p> <p>19 MR. GORRIN: So, Mr. Larson, to be clear, this</p> <p>20 is Alvaro from the property behind, the new</p> <p>21 proposed dock that you're proposing is in the main</p> <p>22 canal or the basin?</p> <p>23 MR. LARSON: No. The new dock is in the main</p> <p>24 canal, and with the boat there there would be 75</p> <p>25 feet clear maintained waterway.</p>
<p style="text-align: right;">Page 18</p> <p>1 record.</p> <p>2 MS. GARCIA: Okay. Thank you.</p> <p>3 MS. REDILA: This e-mail is from Alain Monie.</p> <p>4 "My name is Alain Monie and I am the</p> <p>5 owner/resident at 9320 Balada Street in Coral</p> <p>6 Gables 33156. As such, I am almost in front of the</p> <p>7 applicant at 9501 Journey's End Lane. I am also a</p> <p>8 frequent user of the canal in the way of the</p> <p>9 extension being proposed.</p> <p>10 I will not be able to participate in the</p> <p>11 virtual hearing, but would like to express my very</p> <p>12 strong opposition to allowing the extension of a</p> <p>13 dock over the canal in excess of the currently</p> <p>14 permissible limits. This would reduce the canal</p> <p>15 navigability in a very detrimental way and would</p> <p>16 open Pandora's Box for others to follow suit, and</p> <p>17 it would create uncontrolled blockages of canal</p> <p>18 navigation.</p> <p>19 Thank you for considering and reassuring my</p> <p>20 strong opposition, Alain Monie."</p> <p>21 MS. GARCIA: Okay. Thank you.</p> <p>22 Do we have any other comments, questions for</p> <p>23 the applicant?</p> <p>24 Or is there anything else the applicant would</p> <p>25 like to express?</p>	<p style="text-align: right;">Page 20</p> <p>1 MS. GARCIA: Okay.</p> <p>2 MR. GORRIN: Where we can have --</p> <p>3 MS. GARCIA: Mr. Alvaro, would you like to ask</p> <p>4 a question -- let's just keep it in order. Do you</p> <p>5 have another question for Mr. Larson? Anything</p> <p>6 else?</p> <p>7 MR. GORRIN: No.</p> <p>8 MS. PINON: I have a question, Maria.</p> <p>9 MS. GARCIA: Yes.</p> <p>10 MS. PINON: It looked to me -- good morning.</p> <p>11 It looked to me like the dock, the proposed dock on</p> <p>12 the very south end is very close to the mangroves.</p> <p>13 What -- you know, how is that going to be monitored</p> <p>14 when you move the yacht in and out of that</p> <p>15 waterway? Are they going to have any impact, an</p> <p>16 adverse impact on those mangroves?</p> <p>17 MR. LARSON: No, ma'am.</p> <p>18 MS. PINON: It seems very, very close.</p> <p>19 MR. LARSON: This is Glen from Dock & Marina.</p> <p>20 No. Miami-Dade County monitors the</p> <p>21 construction of the dock and has -- they force the</p> <p>22 owner and us to put a bond up to protect the</p> <p>23 mangroves. So during the construction we have a</p> <p>24 preconstruction meeting, we stake it out to show</p> <p>25 where the dock will be close to but does not</p>

<p style="text-align: right;">Page 21</p> <p>1 interfere with the mangroves. And the County uses</p> <p>2 their best judgment, which they've already approved</p> <p>3 this plan, to allow for the dock to be constructed</p> <p>4 with no impacts, and they don't expect any future</p> <p>5 impacts.</p> <p>6 MS. PINON: And what happens if there is a</p> <p>7 future impact?</p> <p>8 MR. LARSON: If there's a future impact, then</p> <p>9 Mr. Lopez would be bound by the laws to mitigate</p> <p>10 for any impacts. This dock constructed with the</p> <p>11 previous layout when I met the county out there</p> <p>12 during the proposal process of this, we were free</p> <p>13 and clear of the mangroves and there were four or</p> <p>14 five exotic trees that they've requested that we</p> <p>15 remove as part of this construction process.</p> <p>16 MS. PINON: Thank you.</p> <p>17 MS. GARCIA: Thank you, Mr. Larson.</p> <p>18 If we don't have anybody else with any</p> <p>19 comments or questions, if --</p> <p>20 MR. SALMAN: I have a question, Madam chair.</p> <p>21 MS. GARCIA: I'm sorry, who is that?</p> <p>22 MR. SALMAN: Javier Salman.</p> <p>23 MS. GARCIA: Oh, go ahead.</p> <p>24 MR. SALMAN: It was stated that after the boat</p> <p>25 is docked at this particular new dock that we would</p>	<p style="text-align: right;">Page 23</p> <p>1 I'm trying to bring that image up that shows that.</p> <p>2 MS. THROCKMORTON: Mr. Larson or Staff, if you</p> <p>3 could clarify when that's calculated what you</p> <p>4 account for on the other side if you measure from</p> <p>5 the existing dock to the property line, how you</p> <p>6 measure that navigable waterway I think would help</p> <p>7 clarify this question.</p> <p>8 MS. GARCIA: Mr. Larson, your camera is also</p> <p>9 off, just --</p> <p>10 MR. LARSON: Oh.</p> <p>11 MS. REDILA: It's 78 feet on the proposed dock</p> <p>12 to the other side should a similar structure be</p> <p>13 erected. There's 78 feet.</p> <p>14 UNIDENTIFIED SPEAKER: When you say the other</p> <p>15 side, to clarify the question, at what point on the</p> <p>16 other side, the dock or --</p> <p>17 MS. REDILA: The dock. It's structure to</p> <p>18 structure.</p> <p>19 MS. THROCKMORTON: If a similar structure were</p> <p>20 to be erected; is that what you just said?</p> <p>21 MS. REDILA: Yes. Yes. If we mirror it to</p> <p>22 the other side, it would still be 78 feet.</p> <p>23 UNIDENTIFIED SPEAKER: So you would have 78</p> <p>24 feet with no boats on either dock, but once there</p> <p>25 are boats on both docks --</p>
<p style="text-align: right;">Page 22</p> <p>1 have 75 foot of navigable waterway. My question</p> <p>2 is, the space between the dock and the opposing</p> <p>3 dock is approximately 78 feet, what is the beam</p> <p>4 width of a 100-foot vessel?</p> <p>5 MR. LARSON: Are you asking me, sir? I would</p> <p>6 say 18 feet.</p> <p>7 MR. SALMAN: So if we take 18 feet from the</p> <p>8 78, that is from the face of the dock to the other</p> <p>9 dock, we actually end up of with 60 feet of</p> <p>10 navigable waterway, assuming there's no dock -- no</p> <p>11 other vessels docked on the other.</p> <p>12 MR. LARSON: I have -- oh, to the other dock I</p> <p>13 have 103 feet on the measurement that I'm looking</p> <p>14 at now to the other mooring piling. From the edge</p> <p>15 of the proposed dock I have 82 feet. 82 less 18,</p> <p>16 64 feet, I'm sorry. So you'd have 64 feet with the</p> <p>17 vessel there, but there's no mooring piling on</p> <p>18 this -- proposed on this dock or any other</p> <p>19 appendages.</p> <p>20 MR. SALMAN: Well, there's a dimension shown</p> <p>21 on one of the exhibits here, and it shows right</p> <p>22 here, it says 78 feet, this mooring on this side,</p> <p>23 the proposed dock on this side.</p> <p>24 Is that correct or am I in error?</p> <p>25 MR. LARSON: That would be a worse case, and</p>	<p style="text-align: right;">Page 24</p> <p>1 MS. REDILA: 78 feet with no boats.</p> <p>2 UNIDENTIFIED SPEAKER: Got it.</p> <p>3 MS. REDILA: 78 feet with the same structure</p> <p>4 should the other side ask for a similar variance of</p> <p>5 a projection, same projection.</p> <p>6 UNIDENTIFIED SPEAKER: Did you receive any</p> <p>7 letters of support from the neighbors across the</p> <p>8 canal?</p> <p>9 MS. REDILA: We only received one, the one</p> <p>10 that I read on the record -- there's two in</p> <p>11 support?</p> <p>12 UNIDENTIFIED SPEAKER: From across the canal.</p> <p>13 MR. SALMAN: No, they're on the same side, the</p> <p>14 neighbor.</p> <p>15 UNIDENTIFIED SPEAKER: That's why I asked.</p> <p>16 Across the canal?</p> <p>17 MR. SALMAN: Yeah.</p> <p>18 UNIDENTIFIED SPEAKER: Across east, I guess.</p> <p>19 MR. SALMAN: These supporting neighbors across</p> <p>20 the canal or next door?</p> <p>21 MS. REDILA: We have not received that.</p> <p>22 UNIDENTIFIED SPEAKER: So far we have three in</p> <p>23 opposition from across the canal, correct? The two</p> <p>24 gentlemen on the Zoom and the --</p> <p>25 MS. REDILA: And the one on the e-mail.</p>

<p style="text-align: right;">Page 25</p> <p>1 MS. GARCIA: Any other --</p> <p>2 MS. REDILA: We did notify the surrounding</p> <p>3 property owners, everybody.</p> <p>4 MR. LARSON: The measurement that we're</p> <p>5 talking about clear with the vessel parked on the</p> <p>6 other side, there's an existing dock on the</p> <p>7 opposing shoreline, and that existing dock has an</p> <p>8 existing mooring piling and from the existing</p> <p>9 mooring piling from the point that I have where our</p> <p>10 existing -- our proposed dock is to be is the</p> <p>11 measurement you've called out 70 -- is it 78 feet?</p> <p>12 I'm sorry, I don't have that image in front of me.</p> <p>13 Was it 78, or what was your measurement that you</p> <p>14 had?</p> <p>15 MS. REDILA: 78.</p> <p>16 MR. LARSON: So 78 and change is what I'm</p> <p>17 coming up with, but that does not -- if you had a</p> <p>18 boat across the canal, that's 78 feet, is what's</p> <p>19 going to be clear from the existing dock to the</p> <p>20 boat across the canal.</p> <p>21 So the measurement 78 feet minus 18, that</p> <p>22 would be our measurement that we're going to have</p> <p>23 if the boat is docked up there. So it's not going</p> <p>24 to be a serious encroachment into the canal.</p> <p>25 So there's currently, just to clarify, there</p>	<p style="text-align: right;">Page 27</p> <p>1 MR. LARSON: No. I can assure you this is not</p> <p>2 for charter.</p> <p>3 MS. GARCIA: Okay. If we don't have any other</p> <p>4 comments or questions, if anybody would like to</p> <p>5 bring a motion to the floor we can do that now.</p> <p>6 MS. PINON: Okay. I move that the board of</p> <p>7 adjustment deny application BA-21-01-5875, a</p> <p>8 request by Glen Larson for a variance for a</p> <p>9 single-family home located at 9501 Journey's End.</p> <p>10 The variance is to allow a wood dock for the</p> <p>11 single-family residence to extend into the waterway</p> <p>12 35 feet and six inches from the property line</p> <p>13 versus no docks shall be constructed over or in any</p> <p>14 canal, waterway, lake or bay more than five feet</p> <p>15 outward from bank or seawall, whichever is most</p> <p>16 restrictive to Article 3, open quote, "Uses",</p> <p>17 closed quote, Section 3-702.A, formerly Section</p> <p>18 5-802.A, of the Coral Gables Zoning Code.</p> <p>19 The motion is based upon the request -- upon</p> <p>20 the testimony presented along with the application</p> <p>21 submitted and a staff report which constitute</p> <p>22 competent and substantial evidence.</p> <p>23 MR. OTERO: I second the motion.</p> <p>24 MS. GARCIA: Do we have a second?</p> <p>25 If we do not have a second, then I believe,</p>
<p style="text-align: right;">Page 26</p> <p>1 is currently an existing dock on the opposing</p> <p>2 shoreline with mooring piling.</p> <p>3 MR. SALMAN: There aren't any moorings for</p> <p>4 this new dock --</p> <p>5 MR. LARSON: No, no moorings for this new</p> <p>6 dock.</p> <p>7 MR. SALMAN: But there are moorings on the</p> <p>8 other dock?</p> <p>9 MR. LARSON: There's existing mooring piling.</p> <p>10 And that 76 -- or 78 and change measurement is from</p> <p>11 the face of the new dock to the existing mooring</p> <p>12 piling, so there won't be any additional</p> <p>13 encroachment on the other -- on the opposing banks.</p> <p>14 MR. SALMAN: Do you have any idea how</p> <p>15 difficult it is to keep a 100 foot boat without</p> <p>16 moorings?</p> <p>17 MR. LARSON: This is not a permanent birthing</p> <p>18 for this vessel. This is short term. If there's</p> <p>19 any sort of weather, it's going to be at the Cocoa</p> <p>20 Plum Marina.</p> <p>21 MR. SALMAN: That's what I thought. It's not</p> <p>22 a permanent, it's come and go. We've got problems</p> <p>23 already in the Gables with charter boats being</p> <p>24 operated out of the house. I'm concerned about</p> <p>25 that.</p>	<p style="text-align: right;">Page 28</p> <p>1 Stephanie, does this get tabled then?</p> <p>2 MS. THROCKMORTON: There was a second from</p> <p>3 Mr. Otero.</p> <p>4 MS. GARCIA: Oh, we do? Okay.</p> <p>5 MS. THROCKMORTON: Is that correct?</p> <p>6 MR. OTERO: Yes.</p> <p>7 MS. THROCKMORTON: There was a second.</p> <p>8 MS. GARCIA: Okay. So role call?</p> <p>9 MS. REDILA: Mr. Thomson?</p> <p>10 MR. THOMSON: Yes.</p> <p>11 MS. REDILA: Mr. Salman?</p> <p>12 MR. SALMAN: No.</p> <p>13 MS. REDILA: Ms. Pinon?</p> <p>14 MS. PINON: Yes.</p> <p>15 MS. REDILA: Ms. Kauffman?</p> <p>16 MS. KAUFFMAN: No.</p> <p>17 MS. REDILA: Mr. Otero?</p> <p>18 MR. OTERO: Yes.</p> <p>19 MS. REDILA: Ms. Garcia?</p> <p>20 MS. GARCIA: No.</p> <p>21 MS. REDILA: So it's 3-3.</p> <p>22 MS. THROCKMORTON: So to clarify, this is a</p> <p>23 motion to deny the variance. There were three</p> <p>24 yeas, three nays, so that's a tie vote which means</p> <p>25 this item gets moved to the next meeting for</p>

1 rehearing until a majority is met.
 2 MS. GARCIA: Okay. Thank you.
 3 I think we do not have any other items on the
 4 agenda at this point.
 5 So we will adjourn at 9:39 a.m.
 6 Thank you for your time today.
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1 REPORTER'S CERTIFICATE
 2
 3 STATE OF FLORIDA
 4 COUNTY OF PALM BEACH
 5
 6 I, Jessica A. Donnelly, Florida Professional Reporter
 7 and Notary Public in and for the State of Florida at
 8 large, do hereby certify I was authorized to and did
 9 report said board of adjustment meeting in stenotype;
 10 and that the foregoing pages, numbered from 1 to 29,
 11 inclusive, are a true and correct transcription of my
 12 shorthand notes of said board of adjustment meeting.
 13
 14 I further certify that said board of adjustment
 15 meeting was taken at the time and place hereinabove set
 16 forth and that the taking of said board of adjustment
 17 meeting was commenced and completed as hereinabove set
 18 out.
 19
 20 I further certify that I am not an attorney or
 21 counsel of any of the parties, nor am I a relative or
 22 employee of any attorney or counsel of party connected
 23 with the action, nor am I financially interested in the
 24 action.
 25
 The foregoing certification of this transcript does
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 IN WITNESS WHEREOF, I have hereunto set my hand this
 23rd day of February, 2021.

 Jessica A. Donnelly
