

<p style="text-align: center;">Page 1</p> <p style="text-align: center;">CITY OF CORAL GABLES LOCAL PLANNING AGENCY (LPA)/ PLANNING AND ZONING BOARD MEETING VERBATIM TRANSCRIPT CORAL GABLES CITY HALL 405 BILTMORE WAY, COMMISSION CHAMBERS CORAL GABLES, FLORIDA WEDNESDAY, MAY 9, 2018, COMMENCING AT 6:05 P.M.</p> <p>Board Members Present: Eibi Aizenstat, Chairman Robert Behar Jolie Balido-Hart Marshall Bellin</p> <p>City Staff and Consultants: Ramon Trias, Planning Director Craig Collier, Special Counsel Jennifer Garcia, City Planner Arceli Redila, Principal Planner, Acting Secretary Paula Roldos, Principal Planner</p> <p>Also Participating: Patrick Nolan John Swain Gema Pinon JB Diederich Macdonald West Glen Larson Israel Perez</p>	<p style="text-align: center;">Page 3</p> <p>1 continuation or allow the application to proceed 2 to the City Commission without recommendation. 3 The next item is for lobbyist registration. 4 Any person who acts as a lobbyist pursuant to 5 the City of Coral Gables Ordinance Number 6 2006-11 must register with the City Clerk prior 7 to engaging in lobbying activities or 8 presentations before City Staff and Boards, 9 Committees and/or City Commission. A copy of 10 the Ordinance is available in the office of the 11 City Clerk. Failure to register and provide 12 proof of registration shall prohibit your 13 ability to present to the Board. 14 As Chair, I now call the City of Coral 15 Gables Planning and Zoning Board of May 9th, 16 2018 to order, and the time is 6:05. 17 If you'd please do the roll call. 18 THE SECRETARY: Ms. Balido-Hart? 19 MS. BALIDO-HART: Yes. 20 THE SECRETARY: Mr. Behar? 21 MR. BEHAR: Here. 22 THE SECRETARY: Mr. Bellin? 23 MR. BELLIN: Here. 24 THE SECRETARY: Mr. Grabiell? 25 Ms. Menendez?</p>
<p style="text-align: center;">Page 2</p> <p>1 THEREUPON: 2 (The following proceedings were held.) 3 CHAIRMAN AIZENSTAT: All right. If 4 everybody would please sit down. We do have a 5 quorum, so we're going to go ahead and get 6 started. I'd appreciate it if everybody would 7 please take a seat. Thank you. 8 At this time, I'd like to ask for everybody 9 to please either turn off their cell phones, 10 put them on silent, and your pagers or any 11 other electronic devices you may have. Thank 12 you. 13 This Board is comprised of seven members. 14 Four members of the Board shall constitute a 15 quorum, and an affirmative vote of four members 16 shall be necessary for the adoption of any 17 motion. If only four Board Members are 18 present, an applicant may request and be 19 entitled to a continuance to the next regularly 20 scheduled meeting of the Board. If the matter 21 is continued due to a lack of quorum, the 22 Chairperson or Secretary of the Board may set a 23 special meeting to consider such matter. 24 In the event that four votes are not 25 obtained, an applicant may request a</p>	<p style="text-align: center;">Page 4</p> <p>1 Ms. Velez? 2 Mr. Aizenstat? 3 CHAIRMAN AIZENSTAT: Here. 4 What I'd like to do now is, if anybody is 5 going to speak, I'd like to ask them to please 6 stand up to be sworn in for any matters. 7 Thank you. 8 (Thereupon, the participants were sworn.) 9 MR. BEHAR: Mr. Chairman, I'll make a 10 motion to approve the minutes from the last 11 meeting. 12 CHAIRMAN AIZENSTAT: Okay. Perfect. 13 Is there a second? 14 MR. BELLIN: I'll second. 15 CHAIRMAN AIZENSTAT: Any comments, 16 questions? No? 17 Call the roll, please. 18 THE SECRETARY: Ms. Balido-Hart? 19 MS. BALIDO-HART: Yes. 20 THE SECRETARY: Mr. Behar? 21 MR. BEHAR: Yes. 22 THE SECRETARY: Mr. Bellin? 23 MR. BELLIN: Yes. 24 THE SECRETARY: Mr. Grabiell? 25 Ms. Menendez?</p>

<p style="text-align: right;">Page 5</p> <p>1 Ms. Velez?</p> <p>2 Mr. Aizenstat?</p> <p>3 CHAIRMAN AIZENSTAT: Yes.</p> <p>4 Okay. If we can go ahead and move on to</p> <p>5 the first item, please.</p> <p>6 Ramon.</p> <p>7 MR. COLLER: Okay. Do you want me to read</p> <p>8 them in? Okay.</p> <p>9 MR. BEHAR: Should we find out --</p> <p>10 CHAIRMAN AIZENSTAT: Actually, should we go</p> <p>11 ahead and -- somebody wanted to have an</p> <p>12 extension. Come up for a second. Do we want</p> <p>13 to go ahead and --</p> <p>14 MR. BEHAR: Yeah, and defer the item or</p> <p>15 whatever it is.</p> <p>16 MR. COLLER: Oh, there's an item to be</p> <p>17 deferred?</p> <p>18 CHAIRMAN AIZENSTAT: Ramon, wasn't there --</p> <p>19 Ramon --</p> <p>20 MR. TRIAS: Yeah. I think that the City</p> <p>21 Attorney spoke to the applicant's attorney and</p> <p>22 said that that was not necessary.</p> <p>23 MR. BEHAR: Oh --</p> <p>24 CHAIRMAN AIZENSTAT: Oh, I didn't</p> <p>25 understand --</p>	<p style="text-align: right;">Page 7</p> <p>1 additional information. My recommendation to</p> <p>2 the applicant is to -- probably will be to</p> <p>3 re-advertise and re-notice everything, because</p> <p>4 the facts are different than the way that I</p> <p>5 understood them back then.</p> <p>6 CHAIRMAN AIZENSTAT: Okay.</p> <p>7 MR. TRIAS: And I think it's going to</p> <p>8 require action by you. Before, I didn't think</p> <p>9 so, but now I do think you need to take action.</p> <p>10 MR. COLLER: Let me ask you a question,</p> <p>11 because maybe I didn't understand the facts.</p> <p>12 Was the item advertised for tonight?</p> <p>13 MR. TRIAS: No, not for tonight.</p> <p>14 MR. COLLER: And so I don't think it's</p> <p>15 necessary to take an action, because it was</p> <p>16 never advertised and it's not before the Board,</p> <p>17 correct?</p> <p>18 MR. TRIAS: Yeah. Right. It's not before</p> <p>19 you. It's something that the attorney believed</p> <p>20 that maybe they had to make a statement.</p> <p>21 Apparently that's not the case. That's fine</p> <p>22 with me. I don't have any issue with that.</p> <p>23 MR. COLLER: I think we're good.</p> <p>24 CHAIRMAN AIZENSTAT: So, on the record --</p> <p>25 we're good? They don't have to make a</p>
<p style="text-align: right;">Page 6</p> <p>1 MR. COLLER: Oh, there was an item that was</p> <p>2 not officially on the calendar, was a plat.</p> <p>3 The applicant's attorney is here, but it was</p> <p>4 never something that was placed before the</p> <p>5 Board. I don't think there's really anything</p> <p>6 that needs to be done, any action to be taken,</p> <p>7 but she's here, if there are any questions that</p> <p>8 you may have.</p> <p>9 But it's not on the agenda. It's not been</p> <p>10 advertised. So I don't think there's -- in my</p> <p>11 judgment, there's any action for the Board to</p> <p>12 take.</p> <p>13 MR. BEHAR: If that's the case, we don't --</p> <p>14 you know, if it's not on the agenda, we don't</p> <p>15 do anything about it.</p> <p>16 MR. TRIAS: Yeah. That would be fine.</p> <p>17 That's okay.</p> <p>18 CHAIRMAN AIZENSTAT: So does that mean that</p> <p>19 they have an extension?</p> <p>20 MR. COLLER: Well, I don't believe there</p> <p>21 was ever -- I guess it's an extension by the</p> <p>22 fact that it's not on the agenda.</p> <p>23 MR. TRIAS: Mr. Chairman, what I would say</p> <p>24 is this, since the first time I talked to the</p> <p>25 applicant on this issue, I've learned some</p>	<p style="text-align: right;">Page 8</p> <p>1 statement?</p> <p>2 MR. COLLER: Yeah.</p> <p>3 MR. BEHAR: And Mr. Chair, can we find out,</p> <p>4 because I see a lot of members in the audience,</p> <p>5 because this is not --</p> <p>6 MR. COLLER: Well, let's make sure nobody's</p> <p>7 here for this.</p> <p>8 MR. BEHAR: Right, not for this item.</p> <p>9 MR. COLLER: Is there anybody here tonight</p> <p>10 for a plat, involving a plat?</p> <p>11 Okay. It wasn't advertised. It's not on</p> <p>12 the agenda. I think we're good.</p> <p>13 CHAIRMAN AIZENSTAT: Thank you.</p> <p>14 MR. TRIAS: So Mr. Chairman, we have two</p> <p>15 items today and both of them are Code</p> <p>16 Amendments, so I'll deal with the first one,</p> <p>17 which is the waterways.</p> <p>18 May I have the PowerPoint?</p> <p>19 MR. COLLER: May I read the item in?</p> <p>20 MR. TRIAS: Yes. Yes.</p> <p>21 MR. COLLER: Item Number 1, an Ordinance of</p> <p>22 the City Commission of Coral Gables, Florida</p> <p>23 providing for text amendments to the City of</p> <p>24 Coral Gables Official Zoning Code, Article 5,</p> <p>25 "Development Standards," Division 8, "Docks,</p>

<p style="text-align: right;">Page 9</p> <p>1 Wharves, Mooring Piles and Watercraft</p> <p>2 Moorings," clarifying the distance of</p> <p>3 unobstructed navigable water, providing for a</p> <p>4 repealer provision, providing for a</p> <p>5 severability clause, codification and providing</p> <p>6 for an effective date. Item 1, public hearing.</p> <p>7 CHAIRMAN AIZENSTAT: Thank you.</p> <p>8 MR. TRIAS: Mr. Chairman, there are three</p> <p>9 areas of the City that we have used to describe</p> <p>10 this amendment, in terms of a simple way to</p> <p>11 explain what the request is.</p> <p>12 And if you look at the amendment, which is</p> <p>13 on Page 3, what we're doing is, we're</p> <p>14 clarifying the unobstructed navigable waterway</p> <p>15 that has to be between boats at the middle of</p> <p>16 canals. And we have three categories. Only</p> <p>17 one category is being changed. The other two</p> <p>18 will remain the same.</p> <p>19 So the only category of canals that we are</p> <p>20 changing or that we have a recommended change</p> <p>21 from the Waterways Advisory Board is the canals</p> <p>22 that are located north of US-1, which is what's</p> <p>23 depicted in this image. Right now we have one</p> <p>24 width that is required everywhere, which is 75</p> <p>25 feet, except for the Mahi canal, which is 30</p>	<p style="text-align: right;">Page 11</p> <p>1 that is changing is that between boats that are</p> <p>2 there at those docks, you need to have a</p> <p>3 navigable waterway.</p> <p>4 So that is the change, and the proposed</p> <p>5 text amendment, as you can see here, is a very</p> <p>6 simple strike through and underline. We are</p> <p>7 replacing Section C, and then we are clarifying</p> <p>8 all of that.</p> <p>9 Okay. So -- great. Thank you.</p> <p>10 We've had multiple public notices, as</p> <p>11 required by Code, and, in fact, we've had</p> <p>12 notice beyond what the Code requires, which is</p> <p>13 the courtesy notification that was mailed to</p> <p>14 all property owners adjacent to waterways, and</p> <p>15 I believe many of them, or some of them, are</p> <p>16 here tonight, and that is the reason they're</p> <p>17 here, because they received a mail notice, that</p> <p>18 is not required by Code, but we sent it anyway,</p> <p>19 to make sure that everybody got the -- knew</p> <p>20 what was going on.</p> <p>21 In addition, we had legal advertisement, we</p> <p>22 posted the agenda at City Hall, and also we</p> <p>23 posted the Staff report and the agenda at the</p> <p>24 City web page.</p> <p>25 The findings of facts is that the change</p>
<p style="text-align: right;">Page 10</p> <p>1 feet, but everywhere else in the City is 75</p> <p>2 feet. 75 feet has turned out to be a little</p> <p>3 bit too much in certain areas north of US-1.</p> <p>4 So the recommendation is to change that width</p> <p>5 to 45 feet.</p> <p>6 Now, south of US-1, there are no changes.</p> <p>7 We continue to have the 75 feet, and the Mahi</p> <p>8 canal, there are no changes, it continues to be</p> <p>9 30 feet, and that has to do with the actual</p> <p>10 design of the canal, which is narrower than</p> <p>11 most.</p> <p>12 The reason we noticed everybody in the</p> <p>13 courtesy notices is because we're actually</p> <p>14 clarifying the Code and we're striking through</p> <p>15 some of those provisions, but the content is</p> <p>16 not being changed, except north of US-1.</p> <p>17 So that is the request. It's a text</p> <p>18 amendment. It's a clarification of most of the</p> <p>19 requirements and a change of the requirements</p> <p>20 north of US-1. The change does not alter the</p> <p>21 allowed docks. Right now we only allow five</p> <p>22 feet for docks, five feet from the shoreline.</p> <p>23 The change in the navigable waterway doesn't</p> <p>24 mean that we now allow more encroachment. No,</p> <p>25 that's not the case at all. The only thing</p>	<p style="text-align: right;">Page 12</p> <p>1 will promote the public health, safety and</p> <p>2 welfare, and we believe that the standards of</p> <p>3 review are satisfied, and, in fact, we also --</p> <p>4 Staff also believes that the amendments are</p> <p>5 consistent with the Comprehensive Plan. Staff</p> <p>6 recommends approval.</p> <p>7 And that is the end of my presentation, and</p> <p>8 I believe there may be some citizens who want</p> <p>9 to speak.</p> <p>10 CHAIRMAN AIZENSTAT: Thank you.</p> <p>11 People that want to speak for the item, has</p> <p>12 everybody signed up?</p> <p>13 Okay. So people that want to speak, they</p> <p>14 have signed up, correct?</p> <p>15 If you'd please call the first individual.</p> <p>16 MR. BEHAR: Mr. Chair, should we set a time</p> <p>17 of like maybe two minutes per speaker?</p> <p>18 CHAIRMAN AIZENSTAT: Two or three minutes</p> <p>19 per speaker is ideal.</p> <p>20 MR. BEHAR: Okay. Because we have a lot.</p> <p>21 CHAIRMAN AIZENSTAT: Would you please call</p> <p>22 the first individual?</p> <p>23 THE SECRETARY: Mr. Patrick Nolan.</p> <p>24 DR. NOLAN: Hi. I'm Dr. Patrick Nolan. I</p> <p>25 live at 915 South Alhambra Circle, on the Mahi</p>

<p style="text-align: right;">Page 13</p> <p>1 Canal, and this is actually a wonderful thing</p> <p>2 that I did receive a notice about -- that</p> <p>3 something was going on with the canal, and I</p> <p>4 found out for the first time that there's a</p> <p>5 Waterway Committee, which was wonderful,</p> <p>6 because I can talk to them about the illegal</p> <p>7 marina at the end of the Mahi Canal, and about</p> <p>8 all of the signage and the speed limit signs</p> <p>9 that have been removed on both canals and</p> <p>10 allowed a lot of speeding and a lot of manatees</p> <p>11 to get hit.</p> <p>12 And my point about any changes to any</p> <p>13 canal, the Mahi Canal and the Coral Gables</p> <p>14 Canal Waterway are two of a very few number of</p> <p>15 recognized manatee protection zones in the</p> <p>16 State, where the manatees come to mate, and I</p> <p>17 wonder if anyone involved in this mission has</p> <p>18 coordinated with Fish and Wildlife to see if</p> <p>19 any changes in the canal could affect adversely</p> <p>20 the manatee population, which, as you should</p> <p>21 know, is -- most of them are scared, being hit</p> <p>22 by boats.</p> <p>23 So I think before anything further is done</p> <p>24 on anything to do with the waterway, it be</p> <p>25 coordinated with Fish and Wildlife.</p>	<p style="text-align: right;">Page 15</p> <p>1 I'll try to keep it under two minutes. I have</p> <p>2 a handout. If I could pass it up to you.</p> <p>3 CHAIRMAN AIZENSTAT: Please.</p> <p>4 Thank you.</p> <p>5 MR. SWAIN: Okay. The first page is just</p> <p>6 an overview of the area that's going to -- that</p> <p>7 is recommended for the 45 feet. It's US-1 down</p> <p>8 at the bottom and Bird Road at the top. So</p> <p>9 that's kind of an overview.</p> <p>10 And I'm only speaking about one -- I only</p> <p>11 have a problem about one little spot, which if</p> <p>12 you turn to Page -- you see, on Page 1, it has</p> <p>13 an arrow and says, "See Page 2."</p> <p>14 This is a blow-up of that area. This is</p> <p>15 where the canal takes a sharp left turn, almost</p> <p>16 a 90-degree turn, and it turns under the</p> <p>17 Granada Bridge. And right now, I can't tell</p> <p>18 exactly, but it's about a 70-foot opening at</p> <p>19 the moment, right now.</p> <p>20 And what happens is, when the boats -- now,</p> <p>21 with the existing condition, boats have a hard</p> <p>22 time -- the larger boats have a hard time,</p> <p>23 'cause this is a blind corner, and it's</p> <p>24 difficult to get around the corner. I'm a</p> <p>25 boater. I do it a lot. And it's a tricky</p>
<p style="text-align: right;">Page 14</p> <p>1 CHAIRMAN AIZENSTAT: Thank you. Just one</p> <p>2 question, though, are you stating that if it's</p> <p>3 narrowed to 45 feet or what -- it's going to</p> <p>4 impact -- you have an impact on that?</p> <p>5 DR. NOLAN: It could.</p> <p>6 CHAIRMAN AIZENSTAT: Okay.</p> <p>7 DR. NOLAN: Now, I read an article this</p> <p>8 afternoon that the University of Miami student</p> <p>9 newspaper published concerning the manatees in</p> <p>10 the waterway, and they talked at great length</p> <p>11 about how the manatees should not be disturbed</p> <p>12 in any manner, that boaters should stay away</p> <p>13 from them, that swimmers should stay away from</p> <p>14 them, that if they're spooked in any way, they</p> <p>15 stay out in the water, where it's cold, and</p> <p>16 they get hypothermic and it affects their</p> <p>17 flippers and it affects the population.</p> <p>18 CHAIRMAN AIZENSTAT: Okay. Thank you.</p> <p>19 THE SECRETARY: Mr. Swain.</p> <p>20 MR. SWAIN: All right. I'm John Swain.</p> <p>21 MR. COLLIER: I think you need to speak into</p> <p>22 the mike. If you can move it up.</p> <p>23 MR. SWAIN: Hi. I'm John Swain. I live at</p> <p>24 4015 University Drive. I'm also on the</p> <p>25 Advisory -- the Waterway Advisory Committee.</p>	<p style="text-align: right;">Page 16</p> <p>1 spot, as it is, with 70 feet.</p> <p>2 So I'm a little nervous -- and I did bring</p> <p>3 this up at the Advisory Board, but I didn't</p> <p>4 pursue it, unfortunately. I should have. I'm</p> <p>5 a little nervous about this one spot.</p> <p>6 Everywhere else, the entire canal, the 45 feet</p> <p>7 is fine, but I'm nervous about making this spot</p> <p>8 any narrower than it already is.</p> <p>9 So if you look at the third page, you'll</p> <p>10 see what I'm talking about. There's a little</p> <p>11 spittle end that just sticks out, and why, when</p> <p>12 they built the canal, they left that little</p> <p>13 spittle in, I'll never know. It drives me</p> <p>14 crazy every time we go by it. But it's there.</p> <p>15 And if you were to change the rule to 45</p> <p>16 and you didn't make an exception for this spot,</p> <p>17 somebody could actually put a dock right there</p> <p>18 on that spittle end, be within the 45 limit,</p> <p>19 and it would create a major hazard for the</p> <p>20 larger boats that are going in and out of the</p> <p>21 canal.</p> <p>22 So I'm just bringing that up, that maybe</p> <p>23 you could add into there something that that</p> <p>24 one spot is just left alone. That's it.</p> <p>25 CHAIRMAN AIZENSTAT: Thank you.</p>

<p style="text-align: right;">Page 17</p> <p>1 MS. SWAIN: Okay. Thank you.</p> <p>2 MR. BEHAR: Can I ask just quickly Staff</p> <p>3 for a question? Because, Ramon, when -- if</p> <p>4 this goes through and it's approved for 45</p> <p>5 feet, it doesn't say that you're allowed to put</p> <p>6 a dock that goes out and maintain it. That's</p> <p>7 just when you're going to moor a boat, tie up a</p> <p>8 boat?</p> <p>9 MR. TRIAS: The dock can be only be five</p> <p>10 feet.</p> <p>11 MR. BEHAR: From the bank of the canal?</p> <p>12 MR. TRIAS: Yes.</p> <p>13 MR. BEHAR: Okay.</p> <p>14 MR. TRIAS: Yes.</p> <p>15 MR. SWAIN: My point is that the existing</p> <p>16 70 feet right now is already a scary spot, and</p> <p>17 if you ask the Marine Patrol, they'll agree</p> <p>18 with me. They have agreed with me. And I'm</p> <p>19 just asking that that one spot just be left as</p> <p>20 it is.</p> <p>21 Thank you.</p> <p>22 CHAIRMAN AIZENSTAT: Thank you.</p> <p>23 THE SECRETARY: Ms. Gema Pinon.</p> <p>24 MS. PINON: Good evening. Good evening.</p> <p>25 First of all, I --</p>	<p style="text-align: right;">Page 19</p> <p>1 don't know if that's the case in your</p> <p>2 residence, but not everybody in the City</p> <p>3 received notices.</p> <p>4 CHAIRMAN AIZENSTAT: Only properties --</p> <p>5 MR. TRIAS: Only affected properties, yeah.</p> <p>6 MS. PINON: It's 100 feet.</p> <p>7 MR. TRIAS: Okay. And the other issue is</p> <p>8 that I'm happy to say that we finally have the</p> <p>9 consultant on board. We are going to start</p> <p>10 those meetings about the Zoning Code as we</p> <p>11 speak. In fact, we have our first meeting</p> <p>12 Friday with the BID on some of the Downtown</p> <p>13 issues.</p> <p>14 CHAIRMAN AIZENSTAT: Thank you.</p> <p>15 You can call the next individual, please.</p> <p>16 THE SECRETARY: My apologies if I will not</p> <p>17 be able to pronounce this correctly -- JB</p> <p>18 Diederich.</p> <p>19 MR. DIEDERICH: Diederich.</p> <p>20 THE SECRETARY: Diederich.</p> <p>21 MR. DIEDERICH: How are you, gentlemen? My</p> <p>22 name is JB Diederich. I live at 5410 Riviera</p> <p>23 Drive. I did receive the notice, which put me</p> <p>24 in a little bit of distress, because I have</p> <p>25 learned that we are not in compliance, because</p>
<p style="text-align: right;">Page 18</p> <p>1 CHAIRMAN AIZENSTAT: Could you state your</p> <p>2 name and address, please.</p> <p>3 MS. PINON: My name is Gema Pinon. I</p> <p>4 reside at 339 Alesio Avenue. I'm an attorney.</p> <p>5 I also sit on the Board of Adjustments, just</p> <p>6 for the record.</p> <p>7 Hello, Marshall, how are you? Good</p> <p>8 evening, ladies and gentlemen.</p> <p>9 First of all, I did not receive any notice</p> <p>10 of this hearing. I only found out because of</p> <p>11 Ms. Sonia Blair, who told me about the meeting.</p> <p>12 So that's my first comment.</p> <p>13 My second comment is that we have spoken</p> <p>14 about this before, Mr. Trias and I, that we</p> <p>15 should not be having all of these meetings</p> <p>16 about changes. We should just have changes to</p> <p>17 the Zoning Code, which is very outdated. It's</p> <p>18 very antiquated. It's inconsistent. And</p> <p>19 there's no reason or rhyme for anything.</p> <p>20 So that's what I would like to request for</p> <p>21 the Board. Thank you very much.</p> <p>22 CHAIRMAN AIZENSTAT: Thank you.</p> <p>23 MR. TRIAS: Thank you.</p> <p>24 Just for the record, the properties</p> <p>25 adjacent to canals received mail notice and I</p>	<p style="text-align: right;">Page 20</p> <p>1 there aren't 70 feet between my home and my</p> <p>2 neighbor across the water.</p> <p>3 The waterway measures about 80 feet at that</p> <p>4 spot, and for the past 20 years, I have been</p> <p>5 out of compliance, and mea culpa, and I should</p> <p>6 take, perhaps, my boat away.</p> <p>7 No, what I was going to say is that I did a</p> <p>8 lot of research, because I was going to replace</p> <p>9 my boat, and I was going to get a beamier boat,</p> <p>10 and I spoke to the Coast Guard, I spoke to</p> <p>11 Zoning, I spoke to the Marine Patrol, I spoke</p> <p>12 to the police, and there seems to be a</p> <p>13 consensus that it's one-third, one-third and</p> <p>14 one-third, with one-third of the canal being</p> <p>15 the navigable part. I did not know that we had</p> <p>16 70 feet. Clearly, this is something that</p> <p>17 should be looked at and amended, perhaps,</p> <p>18 because it's impossible.</p> <p>19 Either he or I have to lose our dock, and</p> <p>20 once we both have our boats out there, you</p> <p>21 don't have 70 feet, you have more like 60, but,</p> <p>22 anyway -- or less.</p> <p>23 CHAIRMAN AIZENSTAT: You're saying, you</p> <p>24 have 60? Once you both have your boats out</p> <p>25 there, you have 60 feet in between them?</p>

<p style="text-align: right;">Page 21</p> <p>1 MR. Diederich: If we're lucky. Yeah. The</p> <p>2 problem is that we're south or -- or east of</p> <p>3 US-1, south of US-1, on the Coral Gables</p> <p>4 Waterway, and you have a couple of turns before</p> <p>5 it actually widens, and we're a lot more like</p> <p>6 the Mahi Canal at that point, because we are a</p> <p>7 smaller waterway.</p> <p>8 MR. BEHAR: But you're south of US-1?</p> <p>9 MR. Diederich: Yes, we are.</p> <p>10 MR. BEHAR: But this is only pertaining to</p> <p>11 north of US-1.</p> <p>12 MR. Diederich: I know, but the paperwork</p> <p>13 that I received says that we're at 70 feet --</p> <p>14 MR. TRIAS: Yeah. If I understand your</p> <p>15 issue, is that you believe that right now</p> <p>16 you're not in compliance.</p> <p>17 MR. Diederich: Basically I'm not, because</p> <p>18 it says 70 feet.</p> <p>19 MR. TRIAS: Now, what has happened in the</p> <p>20 past is that variances have been used in cases</p> <p>21 like that, when there's a constrain, and it's</p> <p>22 not the fault of anyone. So I'll be happy to</p> <p>23 look at your property in more detail, if you</p> <p>24 want to, because we may have to adjust --</p> <p>25 MR. Diederich: I think you do, because I</p>	<p style="text-align: right;">Page 23</p> <p>1 US-1. If you look at the waterway, the</p> <p>2 waterway is wide as it comes in off Biscayne</p> <p>3 Bay, and when it get to the 5500 Block of</p> <p>4 Riviera Drive or Orduna Drive, it reduces</p> <p>5 significantly in width. And as JB has very</p> <p>6 aptly put, we've got about 80 feet of waterway</p> <p>7 between our homes, not the wide 125 feet,</p> <p>8 whatever it is, on most of the canals south of</p> <p>9 US-1.</p> <p>10 So if there was a requirement -- and by the</p> <p>11 way, this notice -- I hear what you said,</p> <p>12 Mr. Trias, but it says that this meeting is for</p> <p>13 the proposed amendments to allow 75 feet of</p> <p>14 navigable waterway south of US-1.</p> <p>15 So I'm assuming that we can, under this</p> <p>16 Ordinance, consider changing that 75-foot width</p> <p>17 for the area from the 5500 Block of Riviera or</p> <p>18 Orduna Drive to US-1. It's about a quarter of</p> <p>19 the mile.</p> <p>20 And as Mr. Diederich has said, what we</p> <p>21 really need is one-third, one-third and</p> <p>22 one-third. So the middle third of the waterway</p> <p>23 would be navigable and the remaining would be</p> <p>24 for boats tied up to docks, et cetera.</p> <p>25 I'd also like to add the fact that in that</p>
<p style="text-align: right;">Page 22</p> <p>1 don't want to be out of compliance. I want to</p> <p>2 make sure that we are --</p> <p>3 MR. TRIAS: Keep in mind that this is the</p> <p>4 Planning and Zoning meeting. This is a</p> <p>5 recommendation to the Commission. So we have</p> <p>6 an opportunity to refine the language prior to</p> <p>7 Commission.</p> <p>8 MR. Diederich: Great. No, I just felt it</p> <p>9 was a little bit strict, the way I saw it, and</p> <p>10 didn't want to get rid of my boat, because I</p> <p>11 would be really sad and I wouldn't be able to</p> <p>12 take anybody out for a ride. Thanks.</p> <p>13 CHAIRMAN AIZENSTAT: If you would be in</p> <p>14 touch with Mr. Trias --</p> <p>15 MR. Diederich: I will.</p> <p>16 CHAIRMAN AIZENSTAT: -- that would be</p> <p>17 great. Thank you.</p> <p>18 THE SECRETARY: Mr. West.</p> <p>19 MR. WEST: Good evening, Mr. Chairman,</p> <p>20 Members. My name is Macdonald West. I reside</p> <p>21 at 5325 Orduna Drive. I'm actually a neighbor</p> <p>22 directly across from JB Diederich.</p> <p>23 The reason for my coming here this evening</p> <p>24 is because I would like you to consider making</p> <p>25 an amendment to the 75-foot width south of</p>	<p style="text-align: right;">Page 24</p> <p>1 particular portion of the waterway, from the</p> <p>2 5500 Block to US-1, the property owners</p> <p>3 actually own to the center part of the</p> <p>4 waterway. If you'll check the plats, maps and</p> <p>5 so on, you'll find out that that is correct.</p> <p>6 You can go onto miami-dade.gov and look at the</p> <p>7 property search and that's probably the easiest</p> <p>8 way to show it. My deed and the other deeds</p> <p>9 also show that I own to the center of the</p> <p>10 waterway.</p> <p>11 So, Mr. Trias, if there was a taking away</p> <p>12 of rights, then, under the Florida</p> <p>13 Constitutional Law, we would need to be</p> <p>14 compensated for taking away those rights, just</p> <p>15 as a comment.</p> <p>16 So, anyway, my proposal or request for a</p> <p>17 change is that from the 5500 Block, Orduna and</p> <p>18 Riviera goes, more or less, north to US-1, that</p> <p>19 restricted narrower area of the waterway, would</p> <p>20 have a navigable open area in the middle</p> <p>21 one-third of the waterway only.</p> <p>22 CHAIRMAN AIZENSTAT: Thank you.</p> <p>23 MR. WEST: Thank you.</p> <p>24 MR. BEHAR: Can we ask our attorney -- can</p> <p>25 I ask a question?</p>

<p style="text-align: right;">Page 25</p> <p>1 CHAIRMAN AIZENSTAT: Of course.</p> <p>2 MR. BEHAR: The waterways is essentially a</p> <p>3 right-of-way, correct?</p> <p>4 MR. COLLER: Essentially. Just on this</p> <p>5 comment about this possibly be being a taking,</p> <p>6 well, I think this comes under no good deed</p> <p>7 goes unpunished, because there's no change</p> <p>8 proposed -- it was originally 75 feet. So</p> <p>9 we're actually trying to reduce it in a certain</p> <p>10 section, but now it appears that some people</p> <p>11 also want it reduced to the south, as well,</p> <p>12 and, actually, it's always been 75 feet, and it</p> <p>13 was being maintained as 75 feet.</p> <p>14 So you didn't have a right -- you don't</p> <p>15 have a right to a narrower canal, that, of</p> <p>16 course, is not your property. But, in any</p> <p>17 event, I think that the Board may want to</p> <p>18 consider a recommendation for the 75 feet south</p> <p>19 of US-1. Right now the proposal is to maintain</p> <p>20 that distance, but to make some adjustments</p> <p>21 north of US-1, but I -- we're not making a</p> <p>22 change to the 75 feet south. That's not being</p> <p>23 proposed.</p> <p>24 It looks like a change, because what</p> <p>25 happened is, for purposes of readability, the</p>	<p style="text-align: right;">Page 27</p> <p>1 approved those docks in years gone by, and when</p> <p>2 you tie a boat up to a five-foot dock, if</p> <p>3 you've got a 15, 20-foot wide beam dock --</p> <p>4 boat, then it reduces obviously the width.</p> <p>5 CHAIRMAN AIZENSTAT: I understand.</p> <p>6 MR. WEST: So my request, again, is that</p> <p>7 quarter of a mile strip in the 5500 Block to</p> <p>8 US-1, even if the Ordinance does say that, I'm</p> <p>9 asking that we re-consider that.</p> <p>10 MR. BEHAR: Can I ask you a question --</p> <p>11 MR. WEST: Please.</p> <p>12 MR. BEHAR: -- because a 15, 20-foot beam</p> <p>13 boat, that boat would have to be probably close</p> <p>14 to 100 foot in length. Because a boat that is</p> <p>15 able to navigate through that canal cannot be</p> <p>16 that big. I know the canal. I canoe</p> <p>17 throughout those canals constantly. And I know</p> <p>18 there are some cases where they're very, very</p> <p>19 tight, but I don't believe a 20-foot beam boat</p> <p>20 will even be able to go through underneath the</p> <p>21 bridges.</p> <p>22 MR. WEST: Well, that's a good point.</p> <p>23 MR. BEHAR: Okay.</p> <p>24 MR. WEST: And most of the boats, to be</p> <p>25 honest, are not that wide. They're more about</p>
<p style="text-align: right;">Page 26</p> <p>1 Department decided to make clearer in the Code</p> <p>2 the various distances, but the 75 feet is not</p> <p>3 being proposed to be changed. It was always 75</p> <p>4 feet. The only change is to the 45 feet north</p> <p>5 of US-1, and, in fact, even though it's</p> <p>6 underlined here, and I'm looking at Page 3 of</p> <p>7 your kit, the Mahi Canal -- there's no proposed</p> <p>8 change to the Mahi Canal, either. It happens</p> <p>9 to be underlined, because they decided to put</p> <p>10 in one place all of the provisions. So that's</p> <p>11 why it appears to be underlined, but there's</p> <p>12 nothing new proposed for the Mahi Canal,</p> <p>13 either.</p> <p>14 CHAIRMAN AIZENSTAT: Okay.</p> <p>15 MR. COLLER: So I hope that clarifies it.</p> <p>16 MR. WEST: Mr. Chairman, may I comment?</p> <p>17 CHAIRMAN AIZENSTAT: If it's short, yes.</p> <p>18 MR. WEST: I don't dispute Mr. Coller's</p> <p>19 understanding of the law. I'd just like to</p> <p>20 say, I've lived at my home since 1981. There</p> <p>21 was a dock there when I bought the home, which</p> <p>22 is still present. There are multiple docks on</p> <p>23 this narrower quarter of a mile strip that have</p> <p>24 been there forever.</p> <p>25 So, at some point, the City of Coral Gables</p>	<p style="text-align: right;">Page 28</p> <p>1 15 --</p> <p>2 MR. BEHAR: They're probably more like 10,</p> <p>3 12 feet max.</p> <p>4 MR. WEST: -- but with a Catamaran -- well,</p> <p>5 my boat's got a 12-foot beam, almost 12-foot</p> <p>6 beam.</p> <p>7 MR. BEHAR: Okay. Well, it's typically</p> <p>8 between 10 to 12 feet. And, you know, we're</p> <p>9 not -- and by the way, like, you know, our</p> <p>10 attorney had mentioned, we're not looking at --</p> <p>11 we're not touching south of US-1. This right</p> <p>12 now is only for north of US-1.</p> <p>13 MR. WEST: And my request, sir, is that I</p> <p>14 had no idea that the Ordinance was there.</p> <p>15 First notice I ever had was last week when I</p> <p>16 received this. I don't know when the Ordinance</p> <p>17 was changed. But my comment is, it's not</p> <p>18 practical, and so while we're considering this,</p> <p>19 my request is that we consider a change on that</p> <p>20 quarter of a mile stretch from US-1 south.</p> <p>21 CHAIRMAN AIZENSTAT: Thank you.</p> <p>22 MR. WEST: Thank you.</p> <p>23 CHAIRMAN AIZENSTAT: If you'd call the next</p> <p>24 individual, please.</p> <p>25 THE SECRETARY: Mr. Larson, and I think he</p>

<p style="text-align: right;">Page 29</p> <p>1 needs to be sworn in. 2 (Thereupon, the participant was sworn.) 3 MR. LARSON: I do. 4 Ladies and gentlemen, Glen Larson, Dock and 5 Marine Construction, 752 Northeast 79th Street. 6 I was asked to make a presentation with the 7 Waterfront Advisory Board Committee at the end 8 of 2017 regarding this matter. 9 It's a simple matter. There are 200 to 250 10 houses on the northwestern side of US-1 and 11 Ponce that the waterway width is 70 feet, 75 12 feet, 74 feet, and it would require that all of 13 these people that have a dock or a boat lift or 14 use their properties, similarly to the people 15 outside US-1, would need a variance. 16 So basically the request to modify the Code 17 is to reduce the burden of a variance for every 18 single homeowner in that section of waterway, 19 and a lot of time went through Marine Patrol -- 20 the Waterfront Advisory Board went up and down 21 the canal to make sure that we didn't create a 22 burden for anybody. The bridge restrictions 23 are horrendous. 16 feet wide is the Blue Road 24 bridge, and the height restriction at US-1, 25 Ponce, is seven-foot-nine. So boat size is</p>	<p style="text-align: right;">Page 31</p> <p>1 don't think -- I particularly don't like one of 2 the suggestions by one of the speakers to go 3 one-third, one-third, one-third, because then 4 you're going to limit that -- restricted, you 5 know, that navigational width significantly. 6 I'm fine with the way this was presented to 7 me. 8 CHAIRMAN AIZENSTAT: Marshall? 9 MR. BELLIN: I agree. I don't even know 10 why we're discussing the properties south of 11 Dixie. We really can't -- 12 MR. COLLER: Can you speak into the mike a 13 little bit, because I think the court reporter 14 is having trouble picking it up? 15 MR. BELLIN: I'm sorry. 16 I don't know why we're discussing the 17 properties south of Dixie Highway. That's not 18 in this particular issue, I think. 19 MR. BEHAR: And I think, for the record, 20 maybe we can get a clarification. This has 21 been in the Code for how long? 22 MR. TRIAS: I don't know how long, but a 23 long time. Certainly more than I can remember. 24 MR. BEHAR: So this is not something that 25 just came back. I mean, I'm sure, back in</p>
<p style="text-align: right;">Page 30</p> <p>1 very restricted. 2 5500 Riviera, I think, where he is, it 3 won't be affected by this Code. He stays with 4 the 75 feet clear navigation. So it's really 5 only for those people behind the bridge. It 6 would be great for the City and save you guys a 7 lot of time. 8 If anybody has any questions -- 9 CHAIRMAN AIZENSTAT: Thank you. 10 THE SECRETARY: That's the last speaker I 11 have for this item. 12 CHAIRMAN AIZENSTAT: That's the last 13 speaker? 14 THE SECRETARY: Yes. 15 CHAIRMAN AIZENSTAT: At this point, I'm 16 going to go ahead and close the floor to the 17 speakers. 18 Is there any discussion? Robert? 19 MR. BEHAR: You know, I mean, I don't see 20 an issue. I think that maintaining, you know, 21 a 45-foot navigational width is plenty. I 22 think this is -- and like our attorney has 23 described, this is not affecting everywhere. 24 It's not affecting the Mahi Canal. 25 So I think this could be worked out. I</p>	<p style="text-align: right;">Page 32</p> <p>1 1981, this was part of the Code. 2 MR. TRIAS: Yeah. And the only reason 3 we're talking about the other areas, is because 4 we're changing the language, but we're not 5 changing the content. We're just rearranging 6 it, so it's more clear. That's all. 7 CHAIRMAN AIZENSTAT: Jolie, any comment? 8 MS. BALIDO-HART: No. 9 CHAIRMAN AIZENSTAT: You're okay? 10 MS. BALIDO-HART: I'm good with it. 11 CHAIRMAN AIZENSTAT: I'd like to ask a 12 question to the gentleman that -- if he's still 13 here, the gentleman from the company. 14 MR. TRIAS: Mr. Larson. 15 CHAIRMAN AIZENSTAT: Mr. Larson. Sorry 16 about that. 17 There was a map that was given to us about 18 an area that's tight. Are you familiar with 19 this or were you here when that gentleman spoke 20 to us about it? 21 MR. LARSON: I'm familiar with the map. 22 CHAIRMAN AIZENSTAT: If somebody comes to 23 you and wants to build a dock on that piece of 24 rock on the end, how does DERM or Corps of 25 Engineers or anybody, would they be allowed for</p>

<p style="text-align: right;">Page 33</p> <p>1 that property?</p> <p>2 MR. LARSON: Let me -- can I come up?</p> <p>3 CHAIRMAN AIZENSTAT: Yes, of course.</p> <p>4 There's a rock at the end there.</p> <p>5 Thank you.</p> <p>6 MR. LARSON: So that specific rock, I'm</p> <p>7 familiar with, because it creates a very</p> <p>8 difficult turn for me to get a barge passed</p> <p>9 that into the University canal area. It's</p> <p>10 possible that they could have a dock. I would</p> <p>11 have to probably get a variance, because I</p> <p>12 believe that the area that's in there is going</p> <p>13 to have a problem mooring a vessel and</p> <p>14 maintaining the 45 feet clear.</p> <p>15 And when I met with the Waterfront Advisory</p> <p>16 Board, our concern was, that specific corner</p> <p>17 where that rock is, is a tight area, and we</p> <p>18 don't want people to block it off and make it</p> <p>19 so that it's inaccessible. It's already</p> <p>20 difficult to navigate there.</p> <p>21 So instead of making it 30 feet, like the</p> <p>22 Mahi canal, which would make that turn</p> <p>23 impossible for anybody with the biggest boat</p> <p>24 you could get in there, 45 feet seemed to be</p> <p>25 the right measurement that would prevent any</p>	<p style="text-align: right;">Page 35</p> <p>1 Board.</p> <p>2 MR. BEHAR: You know, maybe when that comes</p> <p>3 up, the re-write of the Code, maybe we could</p> <p>4 impose that any application must show the width</p> <p>5 entirely of that waterway, so the Staff and</p> <p>6 whoever is going to go for the variance is</p> <p>7 fully aware of what those dimensions --</p> <p>8 MR. TRIAS: Yeah, and that's required now.</p> <p>9 MR. BEHAR: It is required? Okay.</p> <p>10 MR. TRIAS: Yeah. You have to show it.</p> <p>11 MR. BEHAR: Then it covers it.</p> <p>12 MR. TRIAS: Yeah.</p> <p>13 CHAIRMAN AIZENSTAT: Right. Any other</p> <p>14 comments from the Board?</p> <p>15 MR. BEHAR: No. I'll make a motion to</p> <p>16 approve.</p> <p>17 MS. BALIDO-HART: Second.</p> <p>18 CHAIRMAN AIZENSTAT: We a motion. We have</p> <p>19 a second. Any discussion? No?</p> <p>20 Call the roll, please.</p> <p>21 THE SECRETARY: Ms. Balido-Hart?</p> <p>22 MS. BALIDO-HART: Yes.</p> <p>23 THE SECRETARY: Mr. Behar?</p> <p>24 MR. BEHAR: Yes.</p> <p>25 THE SECRETARY: Mr. Bellin?</p>
<p style="text-align: right;">Page 34</p> <p>1 unnecessary obstruction to the waterway.</p> <p>2 CHAIRMAN AIZENSTAT: Thank you.</p> <p>3 Ramon, would you agree with that? That if</p> <p>4 they wanted to do a dock and extend at that</p> <p>5 point, they would have to come before the City</p> <p>6 and get a variance?</p> <p>7 MR. TRIAS: Most likely, and I want to also</p> <p>8 say that the design is reviewed. So we don't</p> <p>9 just simply allow you to do whatever you want.</p> <p>10 It's reviewed for making sure that it fits</p> <p>11 within the house and so on.</p> <p>12 And the practical application is that, in</p> <p>13 the past, whenever there was an issue, there</p> <p>14 was a variance request, and Mr. Larson</p> <p>15 explained it very well. This simplifies the</p> <p>16 process and it's a benefit to the residents.</p> <p>17 CHAIRMAN AIZENSTAT: And taking into</p> <p>18 account that we're now going to be doing</p> <p>19 another Zoning Code re-write, how will all of</p> <p>20 this be affected? Will this be reviewed again?</p> <p>21 MR. TRIAS: If it has to. If we find some</p> <p>22 new information, certainly I'm open to any</p> <p>23 revisions, yes.</p> <p>24 At this point, we're going with the</p> <p>25 recommendation from the Waterways Advisory</p>	<p style="text-align: right;">Page 36</p> <p>1 MR. BELLIN: Yes.</p> <p>2 THE SECRETARY: Mr. Aizenstat?</p> <p>3 CHAIRMAN AIZENSTAT: Yes. Thank you.</p> <p>4 If we could go on to the next item, please.</p> <p>5 Mr. Attorney, if you'd read it into the</p> <p>6 record.</p> <p>7 MR. COLLER: Sure. I'm sorry.</p> <p>8 CHAIRMAN AIZENSTAT: Thank you.</p> <p>9 MR. COLLER: The second Ordinance on the</p> <p>10 agenda, an Ordinance of the City Commission of</p> <p>11 Coral Gables, Florida providing for text</p> <p>12 amendments to the City of Coral Gables Official</p> <p>13 Zoning Code, Article 4, "Zoning Districts,"</p> <p>14 Section 4-102, "Multi-Family 1 Duplex (MF1)</p> <p>15 District," to modify and clarify provisions</p> <p>16 regulating duplex standards related to</p> <p>17 setbacks, heights, and ground area coverage,</p> <p>18 providing for a repealer provision, providing</p> <p>19 for a severability clause, codification and</p> <p>20 providing for an effective date.</p> <p>21 Second item, public hearing.</p> <p>22 CHAIRMAN AIZENSTAT: Thank you.</p> <p>23 MR. TRIAS: Mr. Chairman, I won't make a</p> <p>24 PowerPoint. I'll just go through the memo.</p> <p>25 I would say that we did send a courtesy</p>

<p style="text-align: right;">Page 37</p> <p>1 notice, a mail courtesy notice, to all of the</p> <p>2 properties that are zoned MF1. So I believe a</p> <p>3 few members of the public may have some</p> <p>4 comments.</p> <p>5 As you know, recently we went through the</p> <p>6 single-family revisions. That took a while.</p> <p>7 It took about a year's worth of input from</p> <p>8 various professionals and many meetings.</p> <p>9 These are basically the same type of</p> <p>10 revisions as they apply to duplexes. The</p> <p>11 reason is that a duplex is very similar to a</p> <p>12 single-family house and some of the very same</p> <p>13 issues apply. There are some changes to</p> <p>14 setbacks and some changes to the way that we</p> <p>15 measure the height of the house.</p> <p>16 If you want to go over it in detail, it's</p> <p>17 here, but I think it's basically the same</p> <p>18 content as the single-family amendment, so</p> <p>19 Staff recommends approval.</p> <p>20 CHAIRMAN AIZENSTAT: Okay. Thank you.</p> <p>21 Is there anybody from the audience?</p> <p>22 THE SECRETARY: We have one. We have one.</p> <p>23 CHAIRMAN AIZENSTAT: Can you call that</p> <p>24 individual, please?</p> <p>25 THE SECRETARY: Yes. Mr. Israel Perez.</p>	<p style="text-align: right;">Page 39</p> <p>1 and out at all times of night. We've had DEA</p> <p>2 agents ask for permission to conduct</p> <p>3 surveillance operations on the hotel. We've</p> <p>4 had numerous break-ins. We've called the</p> <p>5 police numerous times with peeping toms.</p> <p>6 That's been a big problem. And my only point</p> <p>7 that I wanted to make is, if you could please</p> <p>8 consider, when you're making this uniform</p> <p>9 change, that these properties are inheritably</p> <p>10 different, in that they abut this commercial in</p> <p>11 the back, and, in addition, my particular</p> <p>12 property has this motel with ongoing traffic 24</p> <p>13 hours a night.</p> <p>14 CHAIRMAN AIZENSTAT: Thank you.</p> <p>15 Any other speakers?</p> <p>16 THE SECRETARY: No additional speaker,</p> <p>17 Mr. Chair.</p> <p>18 CHAIRMAN AIZENSTAT: At this time, I'll go</p> <p>19 ahead and close the floor to speakers.</p> <p>20 Marshall?</p> <p>21 MR. BELLIN: I have two comments that I'd</p> <p>22 like to address. One I spoke to you before</p> <p>23 about, the issue of the facade of the duplex</p> <p>24 has to conform to the facade in the</p> <p>25 single-family residences.</p>
<p style="text-align: right;">Page 38</p> <p>1 MR. PEREZ: Hello. My is Israel Perez.</p> <p>2 I'm here on behalf of the property --</p> <p>3 CHAIRMAN AIZENSTAT: Would you state your</p> <p>4 address, please?</p> <p>5 MR. PEREZ: Yes. 5314 Orduna Drive. And</p> <p>6 I'm here on behalf of the 5300 Block of Orduna</p> <p>7 Drive. These are duplexes. These duplexes --</p> <p>8 and the only reason I'm here is, the law makes</p> <p>9 all of the sense in the world, except for there</p> <p>10 are properties that are different.</p> <p>11 These duplexes abut commercial properties</p> <p>12 on US-1. We're the buffer for the residential</p> <p>13 across the street from US-1 and all of these</p> <p>14 commercial properties have all of these trucks</p> <p>15 and all of this kind of activities going on.</p> <p>16 So my main point would be that I don't</p> <p>17 think that the height restrictions on walls in</p> <p>18 the back should be the same as if you're in</p> <p>19 more of a neighborhood environment, because</p> <p>20 these walls in the back separate us from the</p> <p>21 commercial properties.</p> <p>22 My property, in particular, is even worse.</p> <p>23 We're right behind the sleazy motel on US-1.</p> <p>24 There's like this motel here on US-1, and</p> <p>25 there's all kinds of noise and cars going in</p>	<p style="text-align: right;">Page 40</p> <p>1 MR. TRIAS: For the purpose of the garage.</p> <p>2 MR. BELLIN: For the purpose of the garage.</p> <p>3 MR. TRIAS: Yes.</p> <p>4 MR. BELLIN: Obviously, if you have a</p> <p>5 duplex, you have two garages. So the one-third</p> <p>6 really can't apply. It works out to be about</p> <p>7 two-thirds of the front facade.</p> <p>8 MR. TRIAS: I think that that may be true</p> <p>9 or not, depending on the design of the duplex.</p> <p>10 If you feel that that's too restrictive -- I</p> <p>11 think that the way that it's phrased in the</p> <p>12 single-family is, up to one-third of the</p> <p>13 residence can be a garage.</p> <p>14 To me, the idea of the duplex should be</p> <p>15 designed as a residence, I mean, that's the</p> <p>16 intent of the Code -- that's what's in the Code</p> <p>17 now -- basically means that about one-third of</p> <p>18 that facade could be a garage. It's the same</p> <p>19 interpretation.</p> <p>20 But if you feel that that is too</p> <p>21 restrictive, we certainly could remove that. I</p> <p>22 don't think that's one of the main issues in</p> <p>23 this amendment.</p> <p>24 CHAIRMAN AIZENSTAT: Can you give us an</p> <p>25 example?</p>

<p style="text-align: right;">Page 41</p> <p>1 MR. BELLIN: Well, if you have a duplex, 2 you have two living units. 3 CHAIRMAN AIZENSTAT: Okay. 4 MR. BELLIN: And if each living unit has a 5 garage, then the -- let's take, you have a 6 50-foot lot, and you have side setbacks, so 7 what happens is, you've got a garage probably 8 there, and that has to be at least 12 feet 9 wide, and the garage on the other side, 12 feet 10 wide. 11 The building itself can only be 40 feet 12 wide. So you have 24 feet of garages in a 13 40-foot building. 14 MR. TRIAS: True. 15 CHAIRMAN AIZENSTAT: Okay. And what's your 16 suggestion? 17 MR. BELLIN: I think that restriction 18 should not apply to duplexes. 19 MR. TRIAS: I mean, the suggestion is to 20 remove 11, just to remove Number 11 in the 21 text. 22 MR. COLLER: Okay. So for everybody's -- 23 it's on Page 4 of the kit. I'm going to share 24 this with my colleagues, because they don't 25 have -- colleagues, plural, because they don't</p>	<p style="text-align: right;">Page 43</p> <p>1 CHAIRMAN AIZENSTAT: If we're in the 2 process of going through with the Zoning Code 3 Re-write, why are we looking at this now? In 4 other words, is there an urgency that you see 5 that Staff or the City needs on this? 6 MR. TRIAS: In this case, it was a very 7 straight-forward set of changes that was 8 exactly the same as single-family, and I've 9 been exposed to several examples in which you 10 simply cannot build in a lot -- for example, 11 there's a particular example in which there's 12 an existing duplex, and the existing duplex is 13 from the 1940s, and the person wants to build a 14 new duplex. 15 And because of the different setback 16 regulations that we've had since, they're not 17 able to build a duplex in a parcel that has a 18 duplex. I mean, that just doesn't make any 19 sense. 20 MR. BEHAR: You're right, but I think then 21 we have to -- when we do the re-write, we have 22 to somehow address that, that the person has 23 the right to go back and put it in the same 24 manner that existed for many years, because, 25 you know, otherwise nobody's going to want to</p>
<p style="text-align: right;">Page 42</p> <p>1 have the guts of the material. 2 MR. TRIAS: And I think there's a good 3 reason for that, because we e-mailed the 4 reports, right, and we may want to discuss that 5 later, if you want. 6 So, yeah, Number 11 is simply a reference 7 to the single-family requirements for garages. 8 It's just referencing those things. So if you 9 feel that that is too restrictive, certainly we 10 could lower it. 11 CHAIRMAN AIZENSTAT: I'd like to actually 12 ask our other colleague, who is an architect on 13 the Board, as to his feelings. 14 MR. BEHAR: No, I kind of agree with my 15 colleague over there, that it's too 16 restrictive, it may be, because not every 17 property is the same, like the example that 18 Marshall gave. 19 MR. TRIAS: If I could make a correction to 20 what I said. There's also the driveways issue 21 in this Number 11. It's not only the garages. 22 So there are some other references that deal 23 with driveways that I think you may want to 24 keep. That's all. 25 Sorry for interrupting.</p>	<p style="text-align: right;">Page 44</p> <p>1 re-develop something to improve the conditions. 2 MR. TRIAS: Yeah. Basically, to address 3 your issue specifically, we have a relatively 4 small budget for our consultant, relatively 5 speaking. So what we're trying to do is, 6 everything that we already know that needs to 7 be changed or should be changed, we've been 8 bringing it to you as we have it ready. 9 CHAIRMAN AIZENSTAT: I mean, Robert, you 10 were on the Board with me when Charlie Seemann 11 rewrote the Zoning Code, correct? 12 MR. BEHAR: Correct. 13 CHAIRMAN AIZENSTAT: And that was an 14 extensive re-write. 15 MR. TRIAS: Yeah. 16 CHAIRMAN AIZENSTAT: I mean, I remember we 17 were in here -- we were meeting maybe three 18 times a month, four times a month, and we were 19 here until midnight or so forth doing this. 20 MR. BEHAR: I remember very well. 21 CHAIRMAN AIZENSTAT: So are you saying -- 22 when you say you have a relatively small 23 budget, are you saying that it's going to 24 barely touch the surface? 25 MR. TRIAS: No. No. I'm not saying that</p>

<p style="text-align: right;">Page 45</p> <p>1 at all. What I'm saying is that the things</p> <p>2 that we already know, we're bringing to you, in</p> <p>3 the sense that I don't think there's a need to</p> <p>4 wait for any other process.</p> <p>5 CHAIRMAN AIZENSTAT: Okay. To me, if I've</p> <p>6 got somebody that has been hired by the City to</p> <p>7 look at the entire Code, this item, I would</p> <p>8 prefer to look at it at that point, unless you</p> <p>9 can tell me that there's an urgency for it or</p> <p>10 there's a benefit not to wait, but, to me, I'd</p> <p>11 rather wait until we have that individual,</p> <p>12 which is already on board --</p> <p>13 MR. TRIAS: Right.</p> <p>14 MR. BEHAR: And we're going to start doing</p> <p>15 that.</p> <p>16 MR. TRIAS: Yeah, and they will tell you</p> <p>17 exactly the same thing that I'm telling you. I</p> <p>18 mean, I wouldn't expect any differences, Mr.</p> <p>19 Chairman. I have been working with him. I can</p> <p>20 assure you that the changes that we're doing</p> <p>21 here are just routine, and what happens is</p> <p>22 that, I've had at least one case of a duplex,</p> <p>23 that I described, that was trying to get a</p> <p>24 building permit, and because it was a concern</p> <p>25 lot, and because in corner lots the setback is</p>	<p style="text-align: right;">Page 47</p> <p>1 MR. BELLIN: I have a couple.</p> <p>2 With respect to Number 11, I think we need</p> <p>3 to get rid of that completely.</p> <p>4 MR. TRIAS: Okay.</p> <p>5 MR. BELLIN: Also because there's a</p> <p>6 five-foot requirement that the facade -- the</p> <p>7 garage be set back from the front entry or from</p> <p>8 the front facade, I think that came to the</p> <p>9 Board and we approved that.</p> <p>10 The other issue for me is, you mentioned</p> <p>11 there's a duplex on a piece of property, and if</p> <p>12 you take the duplex down, you can't build a</p> <p>13 duplex back, but there's a lot of instances</p> <p>14 where that happens. If you have a house that's</p> <p>15 below flood criteria, you take it down, you</p> <p>16 have to raise the house.</p> <p>17 MR. TRIAS: Yeah. But I'm only speaking in</p> <p>18 terms of the setback issue, only in terms of</p> <p>19 something that, in my view, is not the right</p> <p>20 regulation.</p> <p>21 MR. BEHAR: You know, I feel like -- you</p> <p>22 know, and maybe going back into Eibi's point,</p> <p>23 maybe this is something, Ramon, that we should</p> <p>24 address it, because when we do -- the</p> <p>25 consultant comes in, maybe we have to look at</p>
<p style="text-align: right;">Page 46</p> <p>1 15 feet --</p> <p>2 CHAIRMAN AIZENSTAT: Yes.</p> <p>3 MR. TRIAS: -- but the Code says that if</p> <p>4 the neighboring properties are set back 25</p> <p>5 feet, all of a sudden, you need to set -- so</p> <p>6 one thing led to another, and the next thing</p> <p>7 you know, you're not able to build that lot,</p> <p>8 even though there's an existing duplex.</p> <p>9 CHAIRMAN AIZENSTAT: So wouldn't that</p> <p>10 property go before the Board of Adjustments?</p> <p>11 Does it have a hardship?</p> <p>12 MR. TRIAS: You could. You could do that.</p> <p>13 You certainly could do that, but --</p> <p>14 CHAIRMAN AIZENSTAT: I mean, that's a</p> <p>15 unique case, in that property.</p> <p>16 MR. TRIAS: No, because it's typical,</p> <p>17 because it's in the Code, you see. It's one of</p> <p>18 the regulations that we have in the Code in the</p> <p>19 setbacks, and it's really not a regulation that</p> <p>20 follows any significant planning theory or any</p> <p>21 significant -- you know, it's just a -- I</p> <p>22 really -- I can't justify it from any planning</p> <p>23 point of view.</p> <p>24 CHAIRMAN AIZENSTAT: Any comments from</p> <p>25 fellow Board Members?</p>	<p style="text-align: right;">Page 48</p> <p>1 it, and, you know, just modify it a little bit</p> <p>2 or modify it as necessary to allow for -- you</p> <p>3 know, for not only the existing condition to be</p> <p>4 able to maintain it, but, you know, to work it</p> <p>5 out a little bit more, specifically for some of</p> <p>6 the small properties.</p> <p>7 I'm beginning to feel that maybe this, we</p> <p>8 should wait for the consultant to look at it.</p> <p>9 I think what you're proposing, for the most</p> <p>10 part, is correct, maybe with some small</p> <p>11 tweaking, but, you know, maybe this is one of</p> <p>12 those that we push it until the consultant</p> <p>13 comes in.</p> <p>14 CHAIRMAN AIZENSTAT: Jolie.</p> <p>15 MS. BALIDO-HART: That was my feeling, as</p> <p>16 well. I'm just wondering why we're discussing</p> <p>17 things in bits and pieces. We should just let</p> <p>18 the consultant --</p> <p>19 MR. TRIAS: Because we are going to discuss</p> <p>20 things in bits and pieces in the future, and</p> <p>21 because I would prefer that you don't have to</p> <p>22 stay here until midnight every time. I'm just</p> <p>23 trying to make it easier for you. That's all.</p> <p>24 I mean, but if you prefer the other way, that's</p> <p>25 fine with me. Whatever you'd like.</p>

<p style="text-align: right;">Page 49</p> <p>1 MR. COLLER: The other option, of course, 2 is, the Board could recommend to pass it 3 forward to the City Commission and recommend 4 that this not be taken up until the consultant 5 does the re-write. Therefore, it gets to the 6 Commission, but you've communicated your 7 thoughts. 8 That's another option. It's up to you how 9 you want to handle it. 10 MR. BEHAR: I like your idea, so we could 11 try to do it now, so we don't have to stay, 12 like we used to stay, until midnight. 13 MR. TRIAS: Right. 14 MR. BEHAR: Because I'm not going to do 15 that this time around. 16 MR. TRIAS: I mean, I'm trying to make your 17 life easier, in the sense that I know that 18 there are few things that are relatively 19 simple, that don't require major analysis, that 20 we could deal with already. 21 MS. BALIDO-HART: So why would it take 22 until midnight? If it's so simple, then when 23 we get to that point, we would just move 24 through it fast, right? I don't know. 25 MR. TRIAS: Ms. Balido-Hart, I think that's</p>	<p style="text-align: right;">Page 51</p> <p>1 really, catch it upfront, so that -- 2 MR. TRIAS: I mean, if you want to have a 3 more general discussion on this effort, what 4 has happened in the last couple of weeks is 5 that we've had several public meetings that 6 deal with, for example, like -- schedule, we 7 have scheduled several public meetings that 8 deal with some changes in the Code that deal 9 with lot coverage, and, for example, Hammocks 10 Lakes and Snapper Creek, for example, and one 11 of the things that some of the neighbors have 12 said, "Well, you know, maybe we can bring the 13 consultant to look into that, too," and so on. 14 So what happens is that, I've done these 15 kinds of efforts like you in the past, and one 16 of the challenges that we always have is what's 17 called keeping the scope within reason, because 18 if we just let it go beyond a reasonable time 19 frame, then simply we're not going to be able 20 to be successful. 21 The last re-write, which was very, very 22 good, very successful, from talking to Charlie 23 Seemann, who I know very well, and I've known 24 all of my career, he did express some concern 25 that they were not able to do everything they</p>
<p style="text-align: right;">Page 50</p> <p>1 a very good strategy, too. It's up to you. 2 Whatever you'd like. I'm just trying to give 3 you all of the tools you may want to use. 4 CHAIRMAN AIZENSTAT: Thank you. 5 Is there a motion anybody would like to 6 make? Robert? 7 MR. BEHAR: I mean, I'm going to make a 8 motion that we table this, we put it on hold 9 until the consultant comes in and -- 10 CHAIRMAN AIZENSTAT: And pass it to the 11 Commission with that recommendation? 12 MR. BEHAR: And pass it. Yes. 13 CHAIRMAN AIZENSTAT: Is there a second? 14 MS. BALIDO-HART: Second. 15 CHAIRMAN AIZENSTAT: There's a second. Any 16 discussion? Marshall? 17 MR. BELLIN: Yeah. I personally think that 18 if the people who are re-writing the Code are 19 aware of our feelings on these issues, it would 20 be important to them. 21 CHAIRMAN AIZENSTAT: So -- 22 MR. BELLIN: And I'm sure that these kinds 23 of issues are going to come back continuously. 24 Every meeting there's going to be something 25 like this, and what Ramon is trying to do is,</p>	<p style="text-align: right;">Page 52</p> <p>1 wanted to do -- 2 CHAIRMAN AIZENSTAT: Correct. 3 MR. TRIAS: -- for the same -- and that is 4 what he told me, and that's probably the way he 5 felt. So I'm trying to manage this process in 6 a way that is effective. 7 Yes? 8 MR. BEHAR: Yeah. No, I think you're 9 right, although being part of the previous 10 re-write, and -- I don't think this time around 11 it's going to be as difficult -- 12 MR. TRIAS: No. 13 MR. BEHAR: -- as it was that time. I 14 think the consultant coming in is starting with 15 a much more updated -- 16 CHAIRMAN AIZENSTAT: Updated. 17 MR. BEHAR: -- and what we need to do -- 18 MR. TRIAS: Yes. Yes. 19 MR. BEHAR: -- here, we're going to refine 20 the Code, you know, not necessarily start, like 21 we went from -- every single line on that, you 22 know, previous Code had to be looked at. Isn't 23 that correct? 24 MR. TRIAS: The way I see it is that that 25 re-write did 80 percent of what had to be done</p>

<p style="text-align: right;">Page 53</p> <p>1 and now we're going to do the last 20 percent.</p> <p>2 I mean, that's the best --</p> <p>3 MR. BEHAR: And that's typically the case</p> <p>4 that happens. After you do a re-write, you</p> <p>5 have to go back and tweak it. Unfortunately,</p> <p>6 it's been 10 years or whatever that was, the</p> <p>7 last time since we did that. That maybe should</p> <p>8 have happened sooner, but I don't think we're</p> <p>9 going to go back and spend, you know, until</p> <p>10 midnight, you know --</p> <p>11 MR. TRIAS: I hope not.</p> <p>12 CHAIRMAN AIZENSTAT: Ramon --</p> <p>13 MR. TRIAS: Yes.</p> <p>14 CHAIRMAN AIZENSTAT: -- when do you expect</p> <p>15 we'll get started with that at the P&Z Board</p> <p>16 level?</p> <p>17 MR. TRIAS: Well, we have scheduled some</p> <p>18 meetings with the Staff Committee and a</p> <p>19 Steering Committee and we're having some</p> <p>20 meetings with the BID. I think the next two</p> <p>21 months are going to be those types of meetings.</p> <p>22 CHAIRMAN AIZENSTAT: Okay.</p> <p>23 MR. TRIAS: And, then, after that, we'll</p> <p>24 have some formal meetings with the Board.</p> <p>25 That's my hope. So the fall, for example,</p>	<p style="text-align: right;">Page 55</p> <p>1 really not that different from the</p> <p>2 single-family requirements. It's really</p> <p>3 cleanup. It's nothing -- you know --</p> <p>4 MR. BELLIN: I don't think it hurts us by</p> <p>5 addressing this issue at this time.</p> <p>6 CHAIRMAN AIZENSTAT: Robert, would you make</p> <p>7 a --</p> <p>8 MR. BEHAR: Retract my motion, and make a</p> <p>9 motion to -- I mean, look, I'm okay either way.</p> <p>10 I just think that -- I don't want to be doing</p> <p>11 bits and pieces, okay, and I think if this is</p> <p>12 given to -- if this is given to the consultant,</p> <p>13 I think that it may be something that comes</p> <p>14 along, and I think what -- Mr. Trias, what</p> <p>15 you're proposing is correct, and I agree with</p> <p>16 it. I just think that it should be part of a</p> <p>17 whole.</p> <p>18 You know, does it affect us to wait</p> <p>19 another, how long, three months before we start</p> <p>20 seeing --</p> <p>21 MR. TRIAS: Well, I don't know, because of</p> <p>22 the fact --</p> <p>23 CHAIRMAN AIZENSTAT: That's why I asked if</p> <p>24 you had any urgency with this.</p> <p>25 MR. TRIAS: Yes, in the sense that there</p>
<p style="text-align: right;">Page 54</p> <p>1 would be a good time.</p> <p>2 CHAIRMAN AIZENSTAT: Okay. We have a</p> <p>3 motion. We have a second.</p> <p>4 MR. BELLIN: Before we do that, I think we</p> <p>5 need to decide if we want to have -- because I</p> <p>6 think it was the last meeting or the meeting</p> <p>7 before, we had issues with single-family</p> <p>8 residences and changes to the Zoning Code. And</p> <p>9 I think that's going to happen every Board</p> <p>10 Meeting, where there's going to be something</p> <p>11 like that.</p> <p>12 So do we want to say that we don't want to</p> <p>13 see those things at all, because the new Code</p> <p>14 may address it, may not?</p> <p>15 MR. TRIAS: I mean, my recommendation -- I</p> <p>16 really think that we should try to deal with</p> <p>17 the issues as they come about, because if we</p> <p>18 wait for some big process or big project like</p> <p>19 that, we may not be able to look at them as</p> <p>20 closely.</p> <p>21 CHAIRMAN AIZENSTAT: So what you're saying</p> <p>22 is, look at this now, and if the consultant</p> <p>23 suggests a tweaking further --</p> <p>24 MR. TRIAS: That's why I brought it to you,</p> <p>25 because it's very straight-forward. It's</p>	<p style="text-align: right;">Page 56</p> <p>1 are some building permits that are going</p> <p>2 through, that otherwise would have to go</p> <p>3 through a variance, I suppose. I mean, there</p> <p>4 are other ways to deal with this thing. I</p> <p>5 mean, I do know of one case, in which it was</p> <p>6 affected by the corner lot requirement.</p> <p>7 Now, they could do other things, they don't</p> <p>8 have to follow this change, and that will be</p> <p>9 fine. However, what I would say is that we</p> <p>10 have some significant policy issues that I want</p> <p>11 you to spend time talking about, such as, how</p> <p>12 do we do public space, open space, and how do</p> <p>13 we do mixed-use projects, how do we deal with</p> <p>14 those larger issues that are going to require a</p> <p>15 lot of your time.</p> <p>16 I really don't think you're going to have a</p> <p>17 lot of discussion about the corner setbacks on</p> <p>18 MF1, when, you know, it's going to be the same as</p> <p>19 the single-family. I mean, that was the only</p> <p>20 reason.</p> <p>21 If I see something that really --</p> <p>22 MR. BEHAR: You mentioned something that I</p> <p>23 will -- I do not want to impose somebody to</p> <p>24 require them to go through a variance process</p> <p>25 by not approving this or recommending.</p>

<p style="text-align: right;">Page 57</p> <p>1 MR. TRIAS: Yeah.</p> <p>2 MR. BEHAR: That I don't want to do,</p> <p>3 because I don't want to create a hardship for</p> <p>4 an application, if we could solve it by</p> <p>5 approving this proposed amendment.</p> <p>6 MR. TRIAS: There's one application that I</p> <p>7 believe will be affected like that, yes. Not</p> <p>8 too many, but just one.</p> <p>9 MR. BELLIN: Robert, as a concept, do we</p> <p>10 want to say that we don't want to do it in bits</p> <p>11 and pieces and we don't want to discuss Code</p> <p>12 Amendments at this time? Because, like I say,</p> <p>13 we're going to get them every meeting, so what</p> <p>14 do we do?</p> <p>15 MR. BEHAR: I'm not sure that we are going</p> <p>16 to get them in every meeting. I think once the</p> <p>17 consultant comes in, I think that we are going</p> <p>18 to go through a process and we're going to</p> <p>19 get -- or at least what we did last time, it</p> <p>20 was a lot of information every time we met,</p> <p>21 and, unfortunately, I think that is going to</p> <p>22 require that we meet more than once a month,</p> <p>23 while the process starts, okay, but maybe it</p> <p>24 will be one meeting that is set specifically</p> <p>25 for the Code amendment issues and the other one</p>	<p style="text-align: right;">Page 59</p> <p>1 I wouldn't bring to you anything that deals</p> <p>2 with policy, that deals with big ideas. All of</p> <p>3 that requires and deserves more discussion.</p> <p>4 This is just basically, from my perspective,</p> <p>5 cleanup, and for that, I think it's better just</p> <p>6 not to deal with those issues when you want to</p> <p>7 deal with real discussion.</p> <p>8 CHAIRMAN AIZENSTAT: Robert.</p> <p>9 MR. BEHAR: You know, I'm going to go ahead</p> <p>10 and I guess retract my motion. Can I do that?</p> <p>11 MR. COLLER: Withdraw your motion?</p> <p>12 MR. BEHAR: Yeah. And my new motion would</p> <p>13 be to make a motion to approve this.</p> <p>14 CHAIRMAN AIZENSTAT: Without Number 11?</p> <p>15 MR. BEHAR: Without Number 11. Or modify</p> <p>16 Number 11 to what is --</p> <p>17 MR. TRIAS: No, Number 11 could be</p> <p>18 discussed with the consultant, if you think so.</p> <p>19 I mean, that's a more subtle discussion. The</p> <p>20 rest of the stuff is very straight-forward.</p> <p>21 MR. BEHAR: So that would be -- my motion</p> <p>22 would be to retract my original motion, make a</p> <p>23 new motion to approve, where Number 11 we</p> <p>24 discuss with the consultant.</p> <p>25 MS. BALIDO-HART: And upon further</p>
<p style="text-align: right;">Page 58</p> <p>1 is the regular meeting for the agenda, the</p> <p>2 normal agenda.</p> <p>3 If I had my way to choose, my preference</p> <p>4 would be to wait for it to come in. By the</p> <p>5 same token, and I think -- you know, I hear</p> <p>6 that my colleague may have the same support for</p> <p>7 that, but if something like this, which is very</p> <p>8 simple -- I get it, this is very simple, and I</p> <p>9 don't have a problem if we have to go back,</p> <p>10 and, you know, make a recommendation for this</p> <p>11 to go forward and approve it, because this is a</p> <p>12 simple matter.</p> <p>13 I'm just more concerned with something you</p> <p>14 stated, Ramon, is that if you have a small lot</p> <p>15 and you want to keep the same, you know,</p> <p>16 scenario that you had before, we're taking that</p> <p>17 away, the ability to create that again.</p> <p>18 How do we address it, that we're not taking</p> <p>19 that away?</p> <p>20 MR. TRIAS: And that's a separate question</p> <p>21 that has to be addressed with the re-write, in</p> <p>22 the sense that we already have some provisions</p> <p>23 that deal with non-conforming uses,</p> <p>24 non-conforming structures and so on. Maybe we</p> <p>25 need to make it better.</p>	<p style="text-align: right;">Page 60</p> <p>1 consideration, if someone is affected, I would</p> <p>2 agree with that, so I'll second that.</p> <p>3 CHAIRMAN AIZENSTAT: We have a first.</p> <p>4 Second. We've already had discussion.</p> <p>5 Call the roll, please.</p> <p>6 THE SECRETARY: Mr. Bellin?</p> <p>7 MR. BELLIN: Yes.</p> <p>8 THE SECRETARY: Mr. Behar?</p> <p>9 MR. BEHAR: Yes.</p> <p>10 THE SECRETARY: Ms. Balido-Hart?</p> <p>11 MS. BALIDO-HART: Yes.</p> <p>12 THE SECRETARY: Mr. Aizenstat?</p> <p>13 CHAIRMAN AIZENSTAT: Yes.</p> <p>14 Thank you.</p> <p>15 MR. TRIAS: Okay. Thank you very much. So</p> <p>16 now I know you want to work until midnight</p> <p>17 every time and we'll make sure that you have a</p> <p>18 proper schedule for that.</p> <p>19 MR. BEHAR: For the record, don't count me</p> <p>20 in to be working --</p> <p>21 MR. TRIAS: So, as an update, on Friday,</p> <p>22 we're going to meet with the BID and the</p> <p>23 consultant to discuss the Giralda Overlay, some</p> <p>24 issues that you have discussed in the past, and</p> <p>25 hopefully we'll be able to start bringing</p>

<p style="text-align: right;">Page 61</p> <p>1 things to you in the next few months.</p> <p>2 MR. BEHAR: Thank you.</p> <p>3 CHAIRMAN AIZENSTAT: Thank you.</p> <p>4 MR. TRIAS: And the other issue I wanted to</p> <p>5 ask, do you want to continue to receive hard</p> <p>6 copies of things or would e-mail be acceptable?</p> <p>7 CHAIRMAN AIZENSTAT: You know, if it's</p> <p>8 something very small and simple, like this, I</p> <p>9 don't know if I have an issue, but if it's more</p> <p>10 items, I'd like to look at the items myself.</p> <p>11 That's just me.</p> <p>12 MR. BELLIN: Yeah, I'd like it to be done</p> <p>13 the way it's always been done, because we make</p> <p>14 notes, we -- you know, it's just a whole</p> <p>15 easier.</p> <p>16 CHAIRMAN AIZENSTAT: So keep it the way</p> <p>17 we've always done it.</p> <p>18 MR. TRIAS: Okay. No problem. Thank you.</p> <p>19 MR. BEHAR: Make a motion to adjourn.</p> <p>20 MR. COLLIER: That's always in order.</p> <p>21 CHAIRMAN AIZENSTAT: Is there a motion to</p> <p>22 adjourn?</p> <p>23 MR. BEHAR: I made a motion.</p> <p>24 MR. BELLIN: Second.</p> <p>25 CHAIRMAN AIZENSTAT: Marshall second.</p>	<p style="text-align: right;">Page 63</p> <p>1 CERTIFICATE</p> <p>2</p> <p>3 STATE OF FLORIDA:</p> <p>4 SS.</p> <p>5 COUNTY OF MIAMI-DADE:</p> <p>6</p> <p>7</p> <p>8</p> <p>9 I, NIEVES SANCHEZ, Court Reporter, and a Notary</p> <p>10 Public for the State of Florida at Large, do hereby</p> <p>11 certify that I was authorized to and did</p> <p>12 stenographically report the foregoing proceedings and</p> <p>13 that the transcript is a true and complete record of my</p> <p>14 stenographic notes.</p> <p>15</p> <p>16 DATED this 16th day of May, 2018.</p> <p>17</p> <p>18 SIGNATURE ON FILE</p> <p>19 _____</p> <p>20 NIEVES SANCHEZ</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 62</p> <p>1 MR. BEHAR: All in favor?</p> <p>2 CHAIRMAN AIZENSTAT: Aye. We're adjourned.</p> <p>3 Thank you very much.</p> <p>4 MS. BALIDO-HART: Thank you.</p> <p>5 MR. TRIAS: Thank you.</p> <p>6 (Thereupon, the meeting was concluded at</p> <p>7 7:10 p.m.)</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>	