

<p style="text-align: center;">Page 1</p> <p style="text-align: center;">CITY OF CORAL GABLES BOARD OF ADJUSTMENT VERBATIM TRANSCRIPT CORAL GABLES CITY HALL 405 BILTMORE WAY, COMMISSION CHAMBERS CORAL GABLES, FLORIDA MONDAY, AUGUST 5, 2019, COMMENCING AT 8:10 A.M.</p> <p>Board Members Present: Maria D. Garcia, Acting Chairperson Jorge Otero Eugenio Lage Gema Pinon Jack Thomson</p> <p>City Staff and Consultants: Ramon Trias, Planning Director Stephanie M. Throckmorton, Assistant City Attorney Arceli Redila, Principal Planner</p> <p>ALSO PARTICIPATING: Oscar Hidalgo Arthur Finkle Glen Larson, Dock and Marine Construction BA-19-07-5225 (430 Costanera Road)</p>	<p style="text-align: center;">Page 2</p> <p>1 THEREUPON: 2 (The following proceedings were held.) 3 MS. GARCIA: Good morning, everyone. Thank 4 you for being here early on a Monday. We're 5 going to start this morning a little bit 6 different. First we're going to take roll 7 call, and then we have a quick presentation. 8 If we can go ahead and do that. 9 MS. REDILA: Mr. Lage? 10 MR. LAGE: Present. 11 MS. REDILA: Mr. Otero? 12 MR. OTERO: Present. 13 MS. REDILA: Ms. Pinon? 14 MS. PINON: Present. 15 MS. REDILA: Mr. Sotello? 16 Mr. Thomson? 17 MR. THOMSON: Present. 18 MS. REDILA: Ms. Garcia? 19 MS. GARCIA: Present. 20 MS. REDILA: Mr. Sotelo sent an e-mail that 21 he will be out of the country. 22 MS. GARCIA: Do we have a motion to have 23 him be excused today? 24 MR. OTERO: So moved. 25 MR. LAGE: Second.</p>
<p style="text-align: center;">Page 3</p> <p>1 MS. GARCIA: All in favor? 2 MR. OTERO: Aye. 3 MR. LAGE: Aye. 4 MS. PINON: Aye. 5 MR. THOMSON: Aye. 6 MS. GARCIA: Aye. The motion passes. 7 Now we're going to start the agenda with a 8 special presentation to someone who has been on 9 the Board of Adjustments for many years, eight 10 years, and he is our Chair of the Board, and he 11 will be termed out and moving on to other 12 things. 13 So we wanted to just take a moment to thank 14 him for all of his service to the City and to 15 this Board and also present him with a very 16 quick little gift for all of his time with us 17 and we truly appreciate you and we're going to 18 miss you, and, you know, hope to see where 19 things go next. 20 So a presentation here for Oscar Hidalgo, 21 our Chair. 22 MR. HIDALGO: Thank you. Thank you guys. 23 Thank you guys for your support. 24 MS. GARCIA: Thank you, again, Mr. Hidalgo 25 for all of your service.</p>	<p style="text-align: center;">Page 4</p> <p>1 MR. HIDALGO: Thank you. 2 MS. GARCIA: So going right into the 3 agenda, again, good morning, everybody. The 4 Board of Adjustment is comprised of seven 5 members. Four Members of the Board shall 6 constitute a quorum and the affirmative vote of 7 four Members of the Board present shall be 8 necessary to authorize or deny a variance or 9 grant an appeal. A tie vote shall result in 10 the automatic continuance of the matter to the 11 next meeting, which shall be continued until a 12 majority vote is achieved. If only four 13 Members of the Board are present, an applicant 14 shall be entitled to a postponement to the next 15 regularly scheduled meeting of the Board. 16 Any person who acts as a lobbyist pursuant 17 to the City of Coral Gables Ordinance Number 18 2006-11 must register with the City Clerk prior 19 to engaging in lobbying activities or 20 presentations before City Staff, Boards, 21 Committees and/or the City Commission. A copy 22 of the ordinance is available in the Office of 23 the City Clerk. Failure to register and 24 provide proof of registration shall prohibit 25 your ability to present to the Board.</p>

<p style="text-align: right;">Page 5</p> <p>1 I now officially call the City of Coral</p> <p>2 Gables Board of Adjustment meeting of August</p> <p>3 5th to order. The time is 8:10.</p> <p>4 Please be advised that this Board is a</p> <p>5 quasi-judicial board and the items on the</p> <p>6 agenda are quasi-judicial in nature, which</p> <p>7 requires Board Members to disclose all ex parte</p> <p>8 communications and site visits. An ex parte</p> <p>9 communication is defined as any contact,</p> <p>10 communication, conversation, correspondence,</p> <p>11 memorandum or other written or verbal</p> <p>12 communication that takes place outside a public</p> <p>13 hearing between a member of the public and a</p> <p>14 member of a quasi-judicial board regarding</p> <p>15 matters to be heard by the board.</p> <p>16 If anyone made any contact with a Board</p> <p>17 Member regarding an issue before the Board, the</p> <p>18 Board member must state on the record the</p> <p>19 existence of the ex parte communication and the</p> <p>20 party who originated the communication. Also,</p> <p>21 if a Board Member conducted a site visit</p> <p>22 specifically related to the case before the</p> <p>23 Board, the Board Member must also disclose such</p> <p>24 visit. In either case, the Board Member must</p> <p>25 state on the record whether the ex parte</p>	<p style="text-align: right;">Page 6</p> <p>1 communication and/or site visit will affect the</p> <p>2 Board Member's ability to impartially consider</p> <p>3 the evidence presented regarding the matter.</p> <p>4 Board Members should also state that his or her</p> <p>5 decision will be based on substantial competent</p> <p>6 evidence and testimony presented on the record</p> <p>7 today.</p> <p>8 Does any member of the Board have any such</p> <p>9 communication and/or site visit to disclose at</p> <p>10 this time?</p> <p>11 Okay. Thank you.</p> <p>12 Everyone who speaks today must complete the</p> <p>13 roster on the podium. We ask that you print</p> <p>14 clearly so the official record of your name and</p> <p>15 address will be correct.</p> <p>16 Now, with the exception of attorneys, all</p> <p>17 persons who will speak on agenda items before</p> <p>18 us this morning, please rise to be sworn in.</p> <p>19 (Thereupon, the participant was sworn.)</p> <p>20 MS. GARCIA: In deference to those present,</p> <p>21 we ask that all cell phones, pagers or other</p> <p>22 electronic devices be turned off at this time.</p> <p>23 Now we will proceed with the agenda. Thank</p> <p>24 you.</p> <p>25 MS. REDILA: Madam Chair --</p>
<p style="text-align: right;">Page 7</p> <p>1 MS. GARCIA: Yes.</p> <p>2 MS. REDILA: We have to do the minutes, as</p> <p>3 well.</p> <p>4 MS. GARCIA: Thank you.</p> <p>5 Before we continue, let's approve the</p> <p>6 minutes. Those are attached to everybody's</p> <p>7 packet on the Board. If you can take a moment</p> <p>8 to review those and if there any comments state</p> <p>9 those now.</p> <p>10 Do we have a motion to pass the minutes, to</p> <p>11 approve the minutes?</p> <p>12 MS. PINON: So moved.</p> <p>13 MS. GARCIA: Second?</p> <p>14 MR. OTERO: Second.</p> <p>15 MS. GARCIA: All in favor?</p> <p>16 MS. GARCIA: Aye.</p> <p>17 MR. LAGE: Aye.</p> <p>18 MS. PINON: Aye.</p> <p>19 MR. THOMSON: Aye.</p> <p>20 MS. GARCIA: Thank you. Motion passes.</p> <p>21 We'll go ahead now and then jump into our first</p> <p>22 item.</p> <p>23 Welcome.</p> <p>24 MS. REDILA: Good morning, Madam Chair,</p> <p>25 Members of the Board. For the record, Arceli</p>	<p style="text-align: right;">Page 8</p> <p>1 Redila from Planning.</p> <p>2 So the item before you today is</p> <p>3 BA-19-07-5225. The applicant is Glen Larson of</p> <p>4 Dock &amp; Marine Construction, on behalf property</p> <p>5 owner, Lasure Miami, LLC, is requesting two</p> <p>6 variances for an existing Single-Family home</p> <p>7 located at 430 Costanera Road.</p> <p>8 The two variance requests is a variance to</p> <p>9 allow a boat lift to extend 33 feet and five</p> <p>10 inches where 25 feet is the maximum allowed.</p> <p>11 Second variance is to allow a floating vessel</p> <p>12 platform to extend 30 feet and seven inches</p> <p>13 where 25 is the maximum allowed.</p> <p>14 Now, the subject property is located within</p> <p>15 the Cocoplum Section. Here's an aerial view.</p> <p>16 There is an existing Single-Family home with a</p> <p>17 dock. The existing dock is within the required</p> <p>18 setbacks. It will be replaced in the same</p> <p>19 footprint.</p> <p>20 Now, what will be added is the boat lift</p> <p>21 and the floating vessel platform, but because</p> <p>22 of the dense mangrove trees along the banks and</p> <p>23 the water depth, the access to the dock is</p> <p>24 difficult. So the applicant has preliminary</p> <p>25 approval from DERM, and this was also approved</p>

<p style="text-align: right;">Page 9</p> <p>1 by the Board of Architects on June 5.</p> <p>2 So there's an existing dock. This is the</p> <p>3 site plan, the existing dock, adding a boat</p> <p>4 lift and a platform. This is a zoom in of the</p> <p>5 property. The boat lift is the one highlighted</p> <p>6 in yellow and the platform is the one</p> <p>7 highlighted in green.</p> <p>8 These are the surrounding properties, and</p> <p>9 as you can see, in this area, the canal is</p> <p>10 wide. It's just the access to the property</p> <p>11 itself, and the property is also located in a</p> <p>12 unique situation here.</p> <p>13 So Staff is recommending approval. The</p> <p>14 representative of the applicant is here, if you</p> <p>15 have any questions.</p> <p>16 MR. OTERO: I have a question for the City.</p> <p>17 Would you go back and put that overhead view</p> <p>18 again of the dock and the platform?</p> <p>19 MS. REDILA: This one?</p> <p>20 MR. OTERO: When you say the dock is on the</p> <p>21 same footprint, but yet a variance is</p> <p>22 requested, so is the footprint extended? Is</p> <p>23 that what we're talking about?</p> <p>24 MS. REDILA: The variance request for now</p> <p>25 is for the boat lift that will added. The</p>	<p style="text-align: right;">Page 10</p> <p>1 yellow, the highlighted in yellow, that's the</p> <p>2 boat lift. Highlighted in green, that's the</p> <p>3 floating vessel platform. Those are the two</p> <p>4 requests.</p> <p>5 The dock remains. It will be replaced and</p> <p>6 it's in the same footprint as it was before.</p> <p>7 MS. PINON: Can you show, on the other</p> <p>8 slide, the one that has the actual overhead of</p> <p>9 the configuration of the boat area, where that</p> <p>10 will be? That one.</p> <p>11 MS. REDILA: Okay.</p> <p>12 MS. PINON: So it's that little green</p> <p>13 circle?</p> <p>14 MS. REDILA: Yes.</p> <p>15 And then you can see, also, right here, on</p> <p>16 the plat. So the highlighted in yellow is the</p> <p>17 subject property.</p> <p>18 Right now there's already a dock.</p> <p>19 MR. OTERO: It extends the same way as the</p> <p>20 300-foot line is?</p> <p>21 MS. REDILA: Yes. I mean, that's the width</p> <p>22 of the canal. That's to show that there is --</p> <p>23 MR. OTERO: I'm trying to picture where it</p> <p>24 extends. It's that way?</p> <p>25 MS. REDILA: Yes. Yes. Into that way, not</p>
<p style="text-align: right;">Page 11</p> <p>1 to the side.</p> <p>2 MR. OTERO: That's clear for the record,</p> <p>3 "That way."</p> <p>4 MS. REDILA: Pointing towards Los Pinos</p> <p>5 Circle, into that side.</p> <p>6 So, Mr. Larson --</p> <p>7 MR. LARSON: Good morning, ladies and</p> <p>8 gentlemen. Glen Larson, Dock &amp; Marine</p> <p>9 Construction, 752 Northeast 79th Street.</p> <p>10 The existing dock is previously permitted,</p> <p>11 so we're not asking to change the size or</p> <p>12 configuration of the existing dock. The boat</p> <p>13 lift is going to go where the owner currently</p> <p>14 parks his boat. So we're not really creating</p> <p>15 any obstruction, maybe two feet past the beam</p> <p>16 of the boat. The floating vessel platform was</p> <p>17 installed illegally many, many years ago,</p> <p>18 possibly before he owned the house, I believe,</p> <p>19 and DERM has no problem with the location, as</p> <p>20 long as nothing is moved towards the mangroves</p> <p>21 or toward the shallow water at the beginning of</p> <p>22 the walkway dock.</p> <p>23 And I couldn't do much better a</p> <p>24 presentation than --</p> <p>25 MS. GARCIA: Do we have any other</p>	<p style="text-align: right;">Page 12</p> <p>1 questions?</p> <p>2 MR. OTERO: And the reason it's there and</p> <p>3 not closer in is because of the mangroves?</p> <p>4 MR. LARSON: The dock was previously</p> <p>5 permitted and we can't put anything on the</p> <p>6 inside of the dock because of the mangroves and</p> <p>7 the water depth, and we couldn't put the</p> <p>8 floating further towards the right, because</p> <p>9 there's no water depth over there.</p> <p>10 MS. PINON: I have a question. That has no</p> <p>11 effect on the canal that's labeled Arroyo,</p> <p>12 which is on the other side?</p> <p>13 MR. LARSON: That won't have any effect on</p> <p>14 navigation. If you look on the left side,</p> <p>15 where it says, "Property line, mean high water</p> <p>16 line," that the edge of the canal and the</p> <p>17 mangroves along that side of the canal stick</p> <p>18 out 30 feet into the canal. So it won't affect</p> <p>19 any kind of navigation.</p> <p>20 The floating dock, there's been an illegal</p> <p>21 floating dock there for many, many years.</p> <p>22 MR. LAGE: So I have a question on the</p> <p>23 floating dock. How big of a boat can you put</p> <p>24 there?</p> <p>25 MR. LARSON: The floating dock will just be</p>

<p style="text-align: right;">Page 13</p> <p>1 for like a little Zodiac, which is a 12-foot or</p> <p>2 possibly -- I don't think a jet ski, but I</p> <p>3 believe it's for a Zodiac, which is there, and</p> <p>4 access with paddle boards. It's small vessels.</p> <p>5 MR. LAGE: Would it be inside the platform?</p> <p>6 MR. LARSON: Yeah, it would be on the</p> <p>7 inside of the platform.</p> <p>8 MR. LAGE: And then you'd raise --</p> <p>9 MR. LARSON: On top of it, correct.</p> <p>10 MS. GARCIA: Do you have any other</p> <p>11 questions before we move to a vote?</p> <p>12 Do we have a motion?</p> <p>13 Any objections?</p> <p>14 MR. FINKLE: I'd like to say something.</p> <p>15 MS. GARCIA: Oh, yes. Please come ahead.</p> <p>16 Could we have you sworn in.</p> <p>17 (Thereupon, the participant was sworn.)</p> <p>18 MR. FINKLE: My name is Arthur Finkle. I'm</p> <p>19 a resident of Coral Gables, 315 Casuarina</p> <p>20 Concourse. So I'm basically on the other side</p> <p>21 of the canal from this resident, a little bit</p> <p>22 east, a few hundred yards away.</p> <p>23 I built my house 35 years ago, and,</p> <p>24 actually, about five years ago I had to redo my</p> <p>25 dock, and I didn't impose upon my neighbors to</p>	<p style="text-align: right;">Page 14</p> <p>1 take up more of the canal than I was entitled</p> <p>2 to.</p> <p>3 And I think, once you start allowing things</p> <p>4 like this, then what about the guy next door?</p> <p>5 He's going to want to take another eight feet</p> <p>6 of the canal. And I think you just open up the</p> <p>7 Pandora's box of potential problems.</p> <p>8 This canal is quite narrow. It's getting</p> <p>9 narrower because of the intrusion of --</p> <p>10 whatever, it's getting shallower, and I'm just</p> <p>11 concerned that once you allow this gentleman to</p> <p>12 do it, then his neighbor is going to want to do</p> <p>13 it, and every house on the block, and then the</p> <p>14 people on my side on the canal are going to</p> <p>15 want to do it, and where do you stop?</p> <p>16 So that's my concern, and I think the Board</p> <p>17 should take that into consideration when you</p> <p>18 allow for things like this to go on.</p> <p>19 MS. GARCIA: Sir, I have a question. Which</p> <p>20 part of the project do you specifically have an</p> <p>21 issue with? Is it the boat lift and the dock</p> <p>22 and the platform? Which part --</p> <p>23 MR. FINKLE: Well, you know, I'm sort of</p> <p>24 concerned about any movement that allows</p> <p>25 someone to take more of the canal or water than</p>
<p style="text-align: right;">Page 15</p> <p>1 everybody else does, because, again, once you</p> <p>2 allow one person to do it, what about if his</p> <p>3 next door neighbor wants to do it, and the next</p> <p>4 person? So that's my concern.</p> <p>5 And, again, I think this gentleman has a</p> <p>6 pretty large dock as it is, and I'm not quite</p> <p>7 sure of the -- this is not a hardship. This is</p> <p>8 not a hardship situation, okay.</p> <p>9 MS. GARCIA: Do you have any questions?</p> <p>10 MR. OTERO: I do.</p> <p>11 Would the City put up again the map for the</p> <p>12 location? I'd like to know where Mr. Finkle --</p> <p>13 where you reside, sir.</p> <p>14 MR. FINKLE: Right there. Here is my house</p> <p>15 right there.</p> <p>16 MS. PINON: That was my question about the</p> <p>17 Arroyo one.</p> <p>18 MR. OTERO: So the canal that goes, from</p> <p>19 what I can tell, east-west, the narrow one, my</p> <p>20 understanding is that none of the additional</p> <p>21 platform or boat lift encroach on that canal.</p> <p>22 I think they go -- I'm looking at it, and they</p> <p>23 go left. I hope that's west.</p> <p>24 MR. FINKLE: According to the schematic I</p> <p>25 saw, the boat platform, I think it is, does</p>	<p style="text-align: right;">Page 16</p> <p>1 come and take up part of this canal.</p> <p>2 MR. OTERO: You bring up two points. One</p> <p>3 is the specific point as to infringing on that</p> <p>4 canal, and the second is a more philosophical</p> <p>5 point of how do we define a hardship. That's</p> <p>6 the way I understand your comment.</p> <p>7 I would like to look at the first one first</p> <p>8 and get clarity for the Board and an answer to</p> <p>9 your question as to whether it goes south.</p> <p>10 MR. THROCKMORTON: Mr. Larson, some of</p> <p>11 these images have it labeled as intervenor to</p> <p>12 the turning mason.</p> <p>13 MR. LARSON: I don't know if you have the</p> <p>14 plan view in front of you, but the dock -- this</p> <p>15 image actually has the illegal existing boat</p> <p>16 floating vessel platform in it, and you can see</p> <p>17 that it stops easily 30 feet before the</p> <p>18 mangroves. Nothing protrudes into the canal,</p> <p>19 not even past the shoreline.</p> <p>20 The right-of-way line is not affected at</p> <p>21 all.</p> <p>22 MR. OTERO: Okay. What's the need for the</p> <p>23 platform? Is that an additional goodie for the</p> <p>24 owner?</p> <p>25 MR. LARSON: Currently it has a kayak on</p>

<p style="text-align: right;">Page 17</p> <p>1 it. I believe that he has a little, small</p> <p>2 vessel. It's becoming pretty popular during</p> <p>3 manatee season to paddle around or go around</p> <p>4 with like a trolling boat in the area.</p> <p>5 I believe it was like four years ago, the</p> <p>6 Code used to say, no floating vessel platform</p> <p>7 anywhere. They're legal in every canal or</p> <p>8 waterway in the Gables except for the Mahi</p> <p>9 waterway, because paddle boarding, kayaking,</p> <p>10 small little vessels to observe the manatees is</p> <p>11 becoming quite popular. So that his intention</p> <p>12 was to be able to have a small vessel for his</p> <p>13 grandkids.</p> <p>14 MR. OTERO: So just so I understand,</p> <p>15 platforms are legal.</p> <p>16 MR. LARSON: Floating vessel platforms are</p> <p>17 legal everywhere except in the Mahi canal.</p> <p>18 MR. OTERO: And what we're asking here is</p> <p>19 to identify the location --</p> <p>20 MR. LARSON: Correct.</p> <p>21 MR. OTERO: -- approve the location,</p> <p>22 because of mangroves?</p> <p>23 MR. LARSON: Correct.</p> <p>24 MR. OTERO: Am I right?</p> <p>25 MR. LARSON: Correct.</p>	<p style="text-align: right;">Page 18</p> <p>1 MR. OTERO: Okay. I want to make sure that</p> <p>2 we address Mr. Finkle's question as to the</p> <p>3 hardship.</p> <p>4 In the Board's opinion, and we haven't</p> <p>5 voted yet, in the past these have been</p> <p>6 approved, not platforms, but boat lifts, due to</p> <p>7 the existence of mangroves.</p> <p>8 Whether they existed twenty years ago, I</p> <p>9 have no clue, sir, but that's -- I don't know</p> <p>10 if that answers your question.</p> <p>11 MR. FINKLE: Somewhat, but -- by the way,</p> <p>12 many years ago, okay, I think the same house</p> <p>13 did apply for a variance to build their dock</p> <p>14 and it was a hardship, and, actually, a couple</p> <p>15 of neighbors went -- we didn't object, because</p> <p>16 of the mangroves, that they had to come out</p> <p>17 further than the normal amount. I'm not sure</p> <p>18 if it's this house or the one next to it, okay,</p> <p>19 I don't recall, but I know it was in this same</p> <p>20 area, on the same street, and it was a</p> <p>21 hardship, because, again, of the mangroves and</p> <p>22 the dock had to come out a little further than</p> <p>23 everybody else, and actually nobody objected.</p> <p>24 This is not a hardship. Anyway --</p> <p>25 MR. LAGE: Through the Chair, can we have</p>
<p style="text-align: right;">Page 19</p> <p>1 an explanation from the City on how they</p> <p>2 reached the conclusion of approval and a</p> <p>3 hardship, please?</p> <p>4 MS. GARCIA: Yes, can the City describe</p> <p>5 that?</p> <p>6 MS. REDILA: I believe the applicant can</p> <p>7 explain that. Through the process of DERM.</p> <p>8 MR. LARSON: So the hardship that Mr.</p> <p>9 Finkle was discussing, Miami-Dade County DERM</p> <p>10 has two items that they protect with an iron</p> <p>11 sword, the mangroves and the water depth. So</p> <p>12 you're not allowed to have any kind of dock,</p> <p>13 slip, a boat slip, with access to the water, if</p> <p>14 there's less than four feet of water, and</p> <p>15 you're not allowed to have any kind of</p> <p>16 structure that would cause damage to, future</p> <p>17 damage to or unnecessary disturbance to the</p> <p>18 mangroves.</p> <p>19 So this dock did not require a variance to</p> <p>20 get it. I believe it was the neighbor to the</p> <p>21 north. The hardships that most of the</p> <p>22 applicants have here is that, just because of</p> <p>23 the nature of Cocoplum or the design of the</p> <p>24 canal system having looped into the very narrow</p> <p>25 waterways, that some neighbors can have items,</p>	<p style="text-align: right;">Page 20</p> <p>1 luxury items, a boat lift and floating vessel</p> <p>2 platform with no variance, and some neighbors,</p> <p>3 even with a variance request, cannot have them.</p> <p>4 I know you guys see several variances for</p> <p>5 boat lifts. Coming up, there's one by another</p> <p>6 consulting agency coming up, if it hasn't been</p> <p>7 seen yet, that I would agree with Mr. Finkle,</p> <p>8 it's a hardship for the owner. You've got an</p> <p>9 existing dock and a boat lift, it's going to</p> <p>10 encroach in the waterway and make it difficult,</p> <p>11 and I run the equipment that goes in these</p> <p>12 waterways, and we need room to get through.</p> <p>13 The fear on Mr. Finkle would be that if you</p> <p>14 build something, it's going to affect the</p> <p>15 neighbors. This case will not affect the</p> <p>16 neighbors, but there are often cases where</p> <p>17 adding a boat lift will trap the neighbor's</p> <p>18 vessel on his property, where he can't have</p> <p>19 access to his own property. That's not the</p> <p>20 case here.</p> <p>21 MR. THOMSON: You have 300 feet in the</p> <p>22 turning basin to operate the vessel. So this</p> <p>23 is not hindering the operation of this vessel</p> <p>24 in that area.</p> <p>25 MR. LARSON: No, this won't hinder any</p>

<p style="text-align: right;">Page 21</p> <p>1 vessels at all.</p> <p>2 MS. REDILA: Also, if I may add, in the</p> <p>3 Staff's analysis, there's two frontages on this</p> <p>4 property, on the south side and on the western</p> <p>5 side, and the proposed location of the dock and</p> <p>6 the platform is on that side, on the western</p> <p>7 side, where it's wider, and not on the southern</p> <p>8 side.</p> <p>9 MS. GARCIA: Do we have any additional</p> <p>10 questions for our speakers today?</p> <p>11 MS. PINON: I have a question for the City.</p> <p>12 When we come up with this floating water craft</p> <p>13 maximum of 25 feet, what's the origin of that,</p> <p>14 and, you know, are we going to ever have like</p> <p>15 some cap on it, where it's going to be the</p> <p>16 maximum amount that can exceed 25 feet, because</p> <p>17 this goes to Mr. Finkle's questions about, you</p> <p>18 know, that we're going to have all of these</p> <p>19 variances and people can just willy-nilly</p> <p>20 select to have a request for a variance for</p> <p>21 these boat lifts and there's really no uniform</p> <p>22 standard?</p> <p>23 MS. REDILA: Right now, Mr. Pinon, the</p> <p>24 regulation is 25 feet. If there is any case</p> <p>25 that the property does not meet it, and the</p>	<p style="text-align: right;">Page 22</p> <p>1 property requests a variance, it will be</p> <p>2 analyzed on a case by case basis, just as this</p> <p>3 one, where we have to understand the location,</p> <p>4 as well, is there still much room for it. Even</p> <p>5 though the maximum is 25 feet, that's why they</p> <p>6 are here to request for that, but the</p> <p>7 regulation, as of now, is 25 feet and I could</p> <p>8 not say as to how far or how much we could</p> <p>9 allow.</p> <p>10 MS. THROCKMORTON: Ms. Pinon -- Arceli,</p> <p>11 perhaps you can explain the minimum navigable</p> <p>12 width of the canal. So not only is there the</p> <p>13 provision about 25 feet, which you all have</p> <p>14 extended in certain cases due to the hardship,</p> <p>15 but there's also requirements about minimum</p> <p>16 navigable width, so that you're not impeding</p> <p>17 the vessels from traveling in the canal.</p> <p>18 Arceli, is that what that is?</p> <p>19 MS. REDILA: Yes. And in this case,</p> <p>20 there's 300 feet wide.</p> <p>21 MS. THROCKMORTON: You can never impede so</p> <p>22 that it is less than 75 feet, is my</p> <p>23 understanding.</p> <p>24 MS. REDILA: Yes. There's also that</p> <p>25 requirement of the 75 feet navigable waterway.</p>
<p style="text-align: right;">Page 23</p> <p>1 MS. GARCIA: Okay. At this time, do we</p> <p>2 have any objections or letters of support for</p> <p>3 this project?</p> <p>4 Any other comments from the public?</p> <p>5 Okay. Do we have a motion from our Board?</p> <p>6 MS. THROCKMORTON: Ms. Garcia, would you</p> <p>7 please close the public hearing?</p> <p>8 MS. GARCIA: The public hearing is closed.</p> <p>9 Thank you. No more comments from the audience.</p> <p>10 Any motion?</p> <p>11 MR. OTERO: Yes, I have a motion. I move</p> <p>12 that the Board of Adjustment grant Application</p> <p>13 BA 19-07-5225, a request by Glen Larson/Dock</p> <p>14 and Marine Construction on behalf of he</p> <p>15 property owner, Lasure Miami, LLC, for</p> <p>16 variances for a Single-Family home located at</p> <p>17 430 Costanera Road.</p> <p>18 (1) To allow a boat lift to extend 33 feet</p> <p>19 five inches from the mean high water versus</p> <p>20 watercraft lifts or floating watercraft lifts</p> <p>21 shall not extend beyond 25 feet from the banks</p> <p>22 of waterways, pursuant to Appendix A, Section</p> <p>23 A-23 Cocoplum Section Two and Section 5-805(E)</p> <p>24 of the Coral Gables Zoning Code.</p> <p>25 Number 2, to allow a floating vessel</p>	<p style="text-align: right;">Page 24</p> <p>1 platform to extend 30 feet and seven inches</p> <p>2 from the mean high water mark versus watercraft</p> <p>3 lifts or floating watercraft lifts shall not</p> <p>4 extend beyond 25 feet from the banks of the</p> <p>5 waterways, pursuant to Appendix A, Section A-23</p> <p>6 Cocoplum Section 2 and Section 5-805(E) of the</p> <p>7 Coral Gables Zoning Code.</p> <p>8 The motion is based upon the testimony</p> <p>9 presented, along with the application</p> <p>10 submitted, and the Staff report, which</p> <p>11 constitute component (sic) and substantial</p> <p>12 evidence.</p> <p>13 I don't know if the last sentence -- the</p> <p>14 last sentence, "The Board hereby makes findings</p> <p>15 of fact that each of the standards in Section</p> <p>16 3-806 of the Zoning Code has been met."</p> <p>17 MS. GARCIA: We do have a second?</p> <p>18 MR. THOMSON: Second.</p> <p>19 MS. GARCIA: All in favor?</p> <p>20 MR. THOMSON: Let's call the roll.</p> <p>21 MS. GARCIA: Would you like to take a roll</p> <p>22 call?</p> <p>23 MS. REDILA: Okay.</p> <p>24 Mr. Lage?</p> <p>25 MR. LAGE: Yes.</p>

<p style="text-align: right;">Page 25</p> <p>1 MS. REDILA: Mr. Otero?</p> <p>2 MR. OTERO: Yes.</p> <p>3 MS. REDILA: Ms. Pinon?</p> <p>4 MS. PINON: Yes.</p> <p>5 MS. REDILA: Mr. Thomson?</p> <p>6 MR. THOMSON: Yes.</p> <p>7 MS. REDILA: Ms. Garcia?</p> <p>8 MS. GARCIA: Yes.</p> <p>9 Motion passes.</p> <p>10 Okay. I see here there's two more</p> <p>11 Discussion Items. We have Nomination of</p> <p>12 Board-As-A-Whole Member, as well as Election of</p> <p>13 new Chairperson and Vice-Chairperson.</p> <p>14 Does the City -- do we have any nominations</p> <p>15 for the Board-As-A-Whole member? I haven't</p> <p>16 received any information about this before.</p> <p>17 Would you like to table that until next time?</p> <p>18 MR. OTERO: Can those be made by e-mail and</p> <p>19 then addressed next time?</p> <p>20 MR. TRIAS: Probably the best thing would</p> <p>21 be to just table it and then be ready the next</p> <p>22 time to discuss it, but we don't have any</p> <p>23 recommendations. Staff doesn't do that. And</p> <p>24 hopefully we can --</p> <p>25 MR. OTERO: This is the position by the</p>	<p style="text-align: right;">Page 26</p> <p>1 Board?</p> <p>2 MR. TRIAS: Yes. The board nominates a</p> <p>3 person and that's a Board designation.</p> <p>4 MS. GARCIA: Can you describe the procedure</p> <p>5 for that before our next meeting?</p> <p>6 MR. TRIAS: It's just a motion, just a</p> <p>7 regular motion, that you take. Somebody would</p> <p>8 nominate someone, that there will be a motion</p> <p>9 and a vote.</p> <p>10 MS. GARCIA: Okay. As to the election of</p> <p>11 the New Chairperson and Vice-Chairperson, it</p> <p>12 seems to me that we should table that until we</p> <p>13 have our new member.</p> <p>14 MR. TRIAS: That's up to you. You can</p> <p>15 certainly do that.</p> <p>16 MS. GARCIA: What would the Board like to</p> <p>17 do?</p> <p>18 MS. PINON: I agree with you.</p> <p>19 MS. GARCIA: Any other comments?</p> <p>20 MR. OTERO: No.</p> <p>21 MS. PINON: I think we should give the new</p> <p>22 Board Member at least the respect to sit in and</p> <p>23 participate in the meeting for these</p> <p>24 nominations.</p> <p>25 MS. GARCIA: Thank you. Let's go with</p>
<p style="text-align: right;">Page 27</p> <p>1 that. Let's just table both items so that our</p> <p>2 new member, he or she could be a part of that</p> <p>3 decision, as well.</p> <p>4 MS. THROCKMORTON: Do you guys want to</p> <p>5 continue to have Ms. Garcia serving as the</p> <p>6 Acting Chair until such time as a new Chair is</p> <p>7 elected?</p> <p>8 MS. PINON: Yes.</p> <p>9 MR. OTERO: Yes.</p> <p>10 MR. LAGE: Thank you, everybody, for the</p> <p>11 vote of confidence.</p> <p>12 Do we have any other business before</p> <p>13 adjourning?</p> <p>14 MS. REDILA: Madam Chair, we have one item</p> <p>15 in the pipeline for September. Hopefully they</p> <p>16 can put their things together. You'll have one</p> <p>17 item in September, and if you guys can come up</p> <p>18 with the nominations --</p> <p>19 MR. OTERO: Relates to boats?</p> <p>20 MS. GARCIA: We'll read up on that.</p> <p>21 Okay. Thank you so much everybody for your</p> <p>22 time this morning. Meeting is adjourned at</p> <p>23 8:36 a.m.</p> <p>24 (Thereupon, the meeting was concluded at</p> <p>25 8:36 a.m.</p>	<p style="text-align: right;">Page 28</p> <p>1 C E R T I F I C A T E</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 13th day of August, 2019.</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21 _____</p> <p>22 NIEVES SANCHEZ</p> <p>23</p> <p>24</p> <p>25</p>