



**MIAMI-DADE COUNTY
FINAL OFFICIAL MINUTES
Board of County Commissioners Zoning Board**

Board of County Commissioners
Stephen P. Clark Government Center
111 NW 1st Street
Miami, Florida 33128

October 18, 2007
As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Mary Smith-York, Commission Reporter
(305) 375-1598



**CLERK'S SUMMARY AND OFFICIAL MINUTES
BOARD OF COUNTY COMMISSIONERS ZONING HEARING
October 18, 2007**

The Board of County Commissioners met in regular session in the County Commission Chambers on the second floor of the Stephen P. Clark Government Center, 111 N.W. First Street, Miami, Florida at 9:30 a.m. on Thursday, October 18, 2007, there being present: Chairman Bruno A. Barreiro and Commissioners Audrey M. Edmonson, Carlos A. Gimenez, Barbara J. Jordan, Joe A. Martinez, Dennis C. Moss, Dorrin D. Rolle, Natacha Seijas, Katy Sorenson, and Rebecca Sosa (Commissioners Jose "Pepe" Diaz, Sally A. Heyman, and Javier D. Souto were absent).

The following staff members were present: Assistant County Attorneys Joni Armstrong-Coffey and Craig Collier; Interim Director Subrata Basu and Acting Assistant Director Maria Teresa Fojo, Department of Planning and Zoning; and Deputy Clerks Kay Sullivan, Diane Collins, and Mary Smith-York.

Chairman Barreiro opened the meeting with a moment of silence, followed by the Pledge of Allegiance.

ALL WITNESSES WERE SWORN IN BY THE CLERK BEFORE MAKING THEIR PRESENTATIONS BEFORE THE BOARD.

The interpreters were sworn in by the Clerk.

Chairman Barreiro called for any changes to the day's agenda. There being no changes, the Board proceeded to consider today's agenda.

Department of Planning and Zoning Interim Director Subrata Basu announced, in accordance with the Code of Miami-Dade County, all items on today's zoning agenda were legally advertised, all notices were mailed and all properties were posted within prescribed timeframes. He stated that additional copies of the agenda were available in the Chambers and presented the procedures to be followed during today's proceedings.

Mr. Basu presented the following application:

A. DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING (07-3-CC-2/06-331)

Mr. Subrata Basu, Interim Director, Department of Planning and Zoning, noted ten (10) protests and zero (0) waivers had been filed in connection with this application. Mr. Basu identified two major concerns raised by property owners within the corridor between the busway and U.S.1 as: 1) the land use allowance, and 2) placement and height allowance of the buildings. He advised staff's recommendation was for approval of the foregoing application for a boundary change to the Perrine Community Urban Center District (PECUCD) with the condition that those property owners who signed an affidavit be allowed to opt out.

Chairman Barreiro opened the public hearing and the following individuals appeared in support of the application:

- 1) Mr. Gilberto Pastoriza, 2525 Ponce De Leon Boulevard, attorney representing owners of properties located on both sides of Homestead Avenue, between 184th Street and 186th Street.
- 2) Mr. Mario Garcia-Serra, 1221 Brickell Avenue, attorney representing the property owner of FMG Partnership, 18430 S. Dixie Highway.
- 3) Mr. Clemente Vera, resident of City of Doral, owner of property within the proposed Charette.
- 4) Mr. Graham Penn, 200 So. Biscayne Boulevard, attorney representing several property owners along the U.S.1 Corridor. appeared in support of the amended ordinance;
- 5) Mr. Michael Cassidy (phonetic), 10900 S.W. 216th Street, attorney representing the Community Health Foundation.
- 6) Mr. Alejandro Rey, 21 S.W. 21st Road.

The following persons appeared in opposition to the foregoing application:

- 1) Ms. Susan Blake, 11363 S.W. 165th Terrace, appeared in opposition and advised that the residential community had not been given the opportunity to opt out.
- 2) Mr. Martin Lampkin, 10235 S.W. 172nd Street, concurred with Ms. Blake's concerns.

There being no other individuals to appear in connection with the foregoing application, the public hearing was closed.

In response to Commissioner Moss' inquiry regarding the increased density, Mr. Basu advised that the Perrine Zoning District was recommended by the Community Council 14 in May 2006; recommended approval by the Planning Advisory Board (PAB) on July 5, 2006; and the ordinance was adopted by the Board of County Commissioners in September 2006. He further noted the single-family residential area would remain so, with density changes being proposed along the Corridor.

Assistant County Attorney Joni Armstrong-Coffey advised that the Mayor could veto the Commission's action, but no discussion should occur between the Mayor and the community regarding the issue.

Commissioner Moss presented and moved a resolution to approve the application as amended to delete the properties on the list that the director had placed on file with the Clerk. This motion was seconded by Commissioner Sorenson, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Diaz, Heyman, and Souto were absent).

The foregoing resolution was adopted by the Board and set forth in the Record of Resolutions and assigned Resolution #Z-52-07.

Mr. Basu presented the following application:

1. DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONING (07-10-CC-14/07-231)

Mr. Subrata Basu, Interim Director, Department of Planning and Zoning, noted no protests or waivers were received regarding this application and advised it was presented as a director's application due to a permitting error. Mr. Basu noted the department's analysis found the proposed sign aesthetically pleasing and not imposing undue burden on the neighborhood. He recommended approval of the foregoing application.

Chairman Barreiro opened the public hearing and the following individual(s) appeared:

Mr. Juan Mayol, 701 Brickell Avenue, attorney representing the applicant, Dade County Federal Credit Union, appeared in support and recommend approval.

There being no other individuals to appear, the public hearing was closed.

Commissioner Sorenson moved a resolution to approve the application with conditions under section 33-311(A)(4)(b) (NUV) and denial without prejudice under Section 33-311 (A) (4)(c) (ANUV). This motion was seconded by Commissioner Martinez, and upon being put to a vote, passed by a vote of 10-0 (Commissioners Diaz, Heyman, and Souto were absent).

The foregoing resolution was adopted by the Board and set forth in the Record of Resolutions and assigned Resolution #Z-53-07.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 10:48 a.m.