



**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

November 8, 2007
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Alicia Stephenson, Commission Reporter
(305) 375-1475



**CLERK'S SUMMARY AND OFFICIAL MINUTES
BOARD OF COUNTY COMMISSIONERS ZONING HEARING
November 8, 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., November 8, 2007, there being present upon roll call the Honorable Chairman Bruno A. Barreiro; Commissioners Jose "Pepe" Diaz, Audrey M. Edmonson, Carlos A. Gimenez, Joe A. Martinez, Dennis C. Moss, Dorrin D. Rolle, Natacha Seijas, Rebeca Sosa, and Katy Sorenson (Vice Chairwoman Barbara J. Jordan and Commissioners Sally A. Heyman and Javier D. Souto were absent); Assistant County Attorney Craig Collier; Department of Planning & Zoning Interim Director Subrata Basu; and Deputy Clerks Kay Sullivan and Karen Leonard. The assigned reporter was Deputy Clerk Alicia Stephenson.

ALL WITNESSES AND THE INTERPRETER WERE SWORN IN BY THE DEPUTY CLERK BEFORE MAKING THEIR TESTIMONY BEFORE THE BOARD.

Mr. Basu announced that in accordance with the Code of Miami-Dade County, all items on today's (11/8) agenda had been legally advertised in the newspaper, notices mailed, and the properties posted. He noted additional copies of today's agenda and an official translator were available. He presented the rules of procedure to be followed during today's proceedings.

Mr. Basu presented the following application:

1. MERRINECK ESTATES, LLC & MEDICO INTERNATIONAL REALTY HOLDINGS (07-7-CZ12-3) 33-54-40/ BCC/District

Mr. Ben Fernandez, 200 South Biscayne Boulevard, attorney representing the applicant, appeared before the Board and requested that the foregoing application be deferred to the December 20, 2007 Zoning Meeting with leave to amend. He noted that the applicant had met with neighbors several times since the Community Council 12 meeting. He described the proposed use of the application area and noted it was consistent with the Comprehensive Development Master Plan (CDMP) and with zoning; Mr. Fernandez noted the applicant had appeared before the Board to request modifications to an existing covenant, however, neighbors had requested changes to the application, most importantly, to withdraw the request for rezoning and to request a variance instead. He also noted that the applicant was willing to accommodate the neighbors' requests and wanted to submit a revised application on December 20th.

In response to Commissioner Gimenez's question as to whether Mr. Basu needed additional time on this application, Mr. Basu noted that this application would not be ready for the Board's review on December 20, 2007 because additional information was being submitted, and this information was to be forwarded to other departments for their review. Following discussion regarding the possible timeframe for deferral, it was moved

by Commissioner Gimenez that the foregoing proposed application be deferred to the January 24, 2008 Zoning Meeting. This motion was seconded by Commissioner Diaz.

No one responded to Chairman Barreiro's call for objectors to the deferral of this application.

It was moved by Commissioner Gimenez that the foregoing proposed application be deferred to January 24, 2008. This motion was seconded by Commissioner Diaz and upon being put to a vote, passed by a vote of 9-0. (Commissioners Jordan, Heyman, Souto and Seijas were absent).

Mr. Basu presented the following application:

2. MIAMI-DADE AVIATION DEPARTMENT (07-10-CZ8-4)
29/30/31/32-53-41 and 25/26/35/36-53-40 BCC/Districts 6, 12

Mr. Sunil Harman, Division Director of Aviation Planning, Land Use & Grants, Miami-Dade Aviation Department (MDAD), made a presentation regarding the foregoing proposed application. He noted this application included a request to extend the buildout date of the Development of Regional Impact for the Miami International Airport Capital Improvement Program (CIP). Mr. Harmon noted that the buildout date had expired in December 2005, and MDAD was not currently in compliance with the Development of Regional Impact (DRI) Development Order. He noted MDAD had sought a determination from the South Florida Regional Planning Council (SFRPC) and the Florida Department of Community Affairs (DCA). Mr. Harmon added that the program involved no substantial deviation. He noted that in accordance with §380.06 (19)(c) of the Florida Statutes, the Board was allowed to extend the buildout date to December 29, 2010. Mr. Harmon added that the CIP project would not be complete by 2010 and that causal factors were issues related to 9/11 and increases in the project's scope. Mr. Harmon noted the DCA and SFRPC found that the proposed application did not create a substantial deviation, and had remanded it for local action. He noted MDAD was respectfully requesting a favorable disposition from the Board.

Commissioner Sosa expressed concern regarding the timeframe of the buildout date extension and the reason for the extension.

In response to Commissioner Moss's question regarding what would be required for an extension beyond the 2010 date, Mr. Harmon noted the project had not substantially changed and the DRI Development Order would end on the buildout date but physical completion of the project would not be prevented. He reviewed future processes regarding this application.

Commissioner Moss expressed concern regarding project completion, noting that any processes concerning the continuation of the project beyond 2010 and regarding finishing its buildout, should be addressed far in advance of 2010.

In response to Commissioner Diaz's inquiry as to whether any other issues were pending, Mr. Harmon noted that no other issues were pending.

It was moved by Commissioner Sosa that the foregoing proposed application be approved. This motion was seconded by Commissioner Sorenson and upon being put to a vote, passed by a vote of 10-0 (Commissioners Jordan, Heyman and Souto were absent).

All deferral dates on applications considered during the day's meeting were publicly announced.

All exhibits submitted for the record at today's meeting were transferred to the care, custody and control of the Department of Planning and Zoning.

There being no further business to come before the Board, the zoning meeting was adjourned at 10:54 a.m.

Chairman Bruno A. Barreiro

ATTEST: HARVEY RUVIN, Clerk

By: _____
Kay Sullivan, Deputy Clerk