



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

Board of County Commissioners

Stephen P. Clark Government Center
Commission Chamber
111 NW 1st Street
Miami, Florida 33128

March 8, 2007

As Advertised

Harvey Ruvin, Clerk
Board of County Commissioners

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**CLERK'S SUMMARY AND OFFICIAL MINUTES
BOARD OF COUNTY COMMISSIONERS ZONING HEARING
MARCH 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., the following members being present: Chairman Bruno A. Barreiro; Vice Chairwoman Barbara J. Jordan; and Commissioners Audrey M. Edmonson, Carlos A. Gimenez, Sally A. Heyman, Joe A. Martinez, Dennis C. Moss, Dorrin D. Rolle, Natacha Seijas, Katy Sorenson Rebecca Sosa (Commissioners Jose "Pepe" Diaz and Javier D. Souto were absent).

Roll Call

The following staff members were present: County Manager George Burgess, County Attorney Murray Greenberg, Assistant County Manager Alina Hudak, and Deputy Clerks Kay Sullivan, Diane Collins, and Mary Smith-York.

Moment of Silent Meditation and Pledge of Allegiance

With a quorum of members present, Commissioner Barreiro called the meeting to order at 9:52 a.m. and asked that everyone observe a moment of silence followed by the Pledge of Allegiance.

Commissioner Rolle, on behalf of the Board of County Commissioners, applauded and commended Ms. Diane O'Quinn Williams, Director, Department of Planning & Zoning, for 35 years of continuous service with Miami-Dade County. He then led the renowned cheer, "Diane! Oh Diane! Ya dun good!!"

Ms. O'Quinn Williams expressed her appreciation and gratitude to the Board for its support throughout the years.

In response to Chairman Barreiro's inquiry regarding requests for changes to today's agenda, Ms. O'Quinn Williams requested Item No. 2 be deferred to an indefinite date and advised that the item would be re-advertised upon its return. Regarding Commissioner Moss' inquiry concerning the deferral's impact on things in process, Ms. O'Quinn Williams stated building permits and plans could still go forth under the existing zoning category.

Commissioner Moss spoke in support of the deferral; however, he asked that the outstanding issues be resolved and the item brought back before the Board as quickly as possible.

Hearing no objection, it was moved by Commissioner Moss that Item No. 2 (07-3-CC-2/06-331): DIRECTOR OF THE DEPARTMENT OF PLANNING & ZONNING, be deferred to an indefinite date to allow for further review of the rezoning application. This motion was seconded by Commissioner Sosa, and upon being put to a vote, passed by a vote of 9-0 (Vice Chairwoman Jordan and Commissioners Diaz, Martinez and Souto were absent).

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

THE OFFICIAL TRANSLATORS WERE SWORN IN BY THE CLERK PRIOR TO INTERPRETATION OF QUESTIONS ASKED AND TESTIMONY GIVEN

Ms. O'Quinn Williams read into the record the following introductory statement: "In accordance with the Code of Miami-Dade County, all items to be heard today have been legally advertised in the newspaper, notices have been mailed, and the properties have been posted. Additional copies of the agenda are available here in the Chambers. Items will be called up to be heard by Agenda Number and Name of Applicant or Appellant. The record of the hearing on each application will include the records of the Department of Planning & Zoning and, where there is an appeal from the Community Zoning Appeals Board (CZAB), a transcript of that hearing. All these items are physically present today, available to all interested parties, and available to the members of the Board to examine items from the record during the hearing. Parties have the right of cross examination. This statement, along with the fact that all witnesses had been sworn, should be included in any transcript of all or any part of these proceedings. In addition, there is an official translator present in the Chambers for those individuals requiring such assistance.

ITEM: NO. 1

APPLICANT: DIRECTOR OF DEPARTMENT OF PLANNING & ZONING (07-3-CC-1/06-218)

Ms. Diane O'Quinn Williams, Director, Department of Planning & Zoning (P&Z), noted this application was to rezone the area to the new Ojus Urban Area District (OUAD). She reminded Board members that a Charette was in the area some years ago and that the Board had approved an area plan based on a study done and reviewed by the community. She stated this was the final step in the process for rezoning. Ms. O'Quinn Williams advised that staff was recommending approval of the foregoing proposed application.

Chairman Barreiro opened the public hearing and the following individuals appeared:

Mr. Jeffrey Bercow, 200 S. Biscayne Boulevard, Miami, attorney representing the Hillel Community Day School, Inc. (Hillel) appeared before the Board along with Mr. Marty Scheck (phonetic), Hillel Board of Directors, and Mr. Adam Holden and Ms. Pam Burr, Hillel School, in connection with the underlying OUAD regulations and standard regulations. Mr. Bercow provided a brief overview of Hillel's expansion plans and conveyed a description of the school's function in the community. He distributed copies of the list of changes requested by Hillel and highlighted the following three concerns regarding the OUAD's impact to Hillel's property:

- No Civic uses were allowed in residential areas within the OUAD; requesting a text change to allow educational use on Hillel's expansion block;
- Public roads through the campus would threaten security; requesting all public streets in the OUAD that traveled through the campus be deleted; and
- Open space area of approximately 40 thousand square feet between Hillel and its expansion block; requesting relocation of the open space to an alternate area of the expansion plan.

He reiterated his support of Item No. 1 and advised that the Hillel application would be presented in a future ordinance with the understanding that the requested changes presented today would be put into effect.

Mr. Stanley Price, 200 S. Biscayne Boulevard, Miami, attorney representing the Michael Ann Russell Jewish Community Center (MARJCC) and Temple Sinai (TS), appeared before the Board and addressed his clients' concerns regarding Item No. 1. He noted those facilities exercised heightened security and advised that public roads would create a breach in that security. He pointed out that the planned road dead-ended on the property. Mr. Price also stated the two facilities were continuous to one another and a pedestrian bridge was being proposed to connect the two for student passage. He noted his intent to ensure that nothing in the Charette or study would preclude MARJCC and TS from providing a pedestrian bridge to service the two properties.

Mr. Eduardo Caillaux, 2010 NE 211 Street, resident of Highland Lakes, appeared before the Board and requested information regarding how the proposed OUAD would impact his child's access to Highland Oaks.

Ms. O'Quinn Williams stated no development was planned for the area north of Ives Dairy Road.

Mr. Ari Sklar, 2310 Hollywood Boulevard, Hollywood, FL, Architect representing a client at 2950 NE 189 Street, appeared before the Board and expressed concern that the proposed rezoning would impact his client's property. He stated the fire department required facilities to provide two or more truck access points. He distributed drawings of his client's property and pointed out that the building had been raised fourteen feet to allow fire trucks to pass underneath. He noted, however, the fire department did not allow that design as it was opposed to trucks being parked under a building that was on fire. Mr. Sklar explained that he supported Urban Area District planning, but due to the fire department's requirements, had not been able to obtain building permits for his client's building project. He recommended the Board consider amending the code to allow stacked and raised parking to accommodate urban-type zoning.

Ms. O'Quinn Williams advised that the Department previously evaluated "Robotic Parking" and had allowed it in certain zoning districts. She agreed to revisit the zoning requirements for the OUAD to determine if it would be appropriate for the area. Pertaining to the fire department issue, Ms. O'Quinn Williams noted that was related to the underlying ordinance. She stated she would meet with the Fire Department in an effort to resolve the problem, but noted it would probably involve tweaking the ordinance. She commented that in her opinion, the rezoning application before the Board today would not affect those issues stated by Mr. Sklar.

Commissioner Sorenson commented that the issue with the Fire Department needed to be addressed.

Commissioner Heyman acknowledged Mr. Sklar's concerns and suggested he meet later with Ms. O'Quinn Williams regarding his concerns. She explained, however, that those issues were not a part of the item being considered today.

Mr. David Yaris (phonetic), 2690 NE 191 Street, appeared before the Board and requested information regarding how the proposed rezoning would affect his business located between West Dixie Highway and 191 Street.

In response, Ms. O'Quinn Williams noted the subject area was still zoned industrial, so Mr. Yaris' business would be allowed. She requested Mr. Yaris to meet with her later to further discuss his concern.

There being no other individual to appear in connection with this application, Chairman Barreiro closed the public hearing.

Commissioner Heyman provided closing remarks in support of Item No. 1 and expressed her concern with the proposed bike access road that bordered a pristine area leading into County Parks (Greynolds Park; Oleta River).

Commissioner Heyman presented and moved a resolution to adopt Application No. 1 as amended to include a text change to allow an educational use in the Ojus area; to remove all public streets accessing the Hillel school campus; and to relocate the existing open space from within the campus. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 11-0 (Commissioners Diaz and Souto were absent).

The foregoing resolution was adopted by the Board and is set forth in the Record of Resolutions and assigned No. Z-03-07.

ITEM: NO. 2 DEFERRED TO NO DATE CERTAIN

APPLICANT: DIRECTOR OF DEPARTMENT OF PLANNING & ZONING (07-3-CC-2/06-331)

During consideration of changes to today's agenda, the Board deferred Item No. 2 to an indefinite date to allow for further review of the rezoning application.

ADJOURNMENT

All deferral dates on applications considered during today's meeting will be 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, upon motion duly made, seconded and carried, the zoning meeting was adjourned at 10:30 a.m.

Chairman Bruno A. Barreiro
Board of County Commissioners