



**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

Thursday, April 24, 2008
As Advertised

Harvey Ruvlin, Clerk
Board of County Commissioners

Kay Sullivan, Director
Clerk of the Board Division

Alicia Stephenson, Commission Reporter
(305) 375-1475



APRIL 24, 2008 BCC

**CLERK'S SUMMARY AND OFFICIAL MINUTES
BOARD OF COUNTY COMMISSIONERS ZONING HEARING
April 24, 2008**

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., April 24, 2008, there being present upon roll call Chairman Bruno A. Barreiro; Vice Chairwoman Barbara J. Jordan; and Commissioners Jose "Pepe" Diaz, Audrey M. Edmonson, Dennis C. Moss, Dorrin D. Rolle, Natacha Seijas, Rebeca Sosa, and Javier D. Souto (Commissioners Carlos A. Gimenez, Sally A. Heyman, Joe A. Martinez, and Katy Sorenson arrived later); Assistant County Attorney Joni Armstrong-Coffey; Department of Planning & Zoning Interim Director Subrata Basu; and Deputy Clerks Diane Collins, and 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 (4/24) agenda had been legally advertised in the newspaper, notices mailed, and 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:

A. ROGER & DOROTHY WOLIN (07-12-CZ12-2) 31-54-41 BCC/District 7

Mr. Jerry Proctor, attorney representing the applicant, 200 South Biscayne Boulevard, appeared before the Board in support of this application.

He introduced his colleague, Alexandra Deas, Esq. and noted that Mr. Frederick Kirtland was the property owner most affected by this application.

As requested by Mr. Proctor, Mr. Frederick Kirtland, 7680 SW 48 Court, appeared before the Board. Mr. Kirtland spoke in support of the application.

In response to Mr. Proctor, Ms. Melissa Wolin, 7677 Ponce de Leon Road, appeared before the Board and spoke in support of the application.

Mr. Tucker Gibbs, 215 Grand Avenue, appeared before the Board. He noted he was an attorney representing Russell Oasis, whom he noted lived at 4840 S.W. 80 Street and owned property at 4850 S.W. 80 Street; and Mr. Jeffrey Bass, 7801 S.W. 48 Place, whom he noted lived in the neighborhood and was unable attend today's (4/24) meeting. Mr.

Gibbs spoke in opposition to the foregoing application and appeal. He read for the record a statement written by Mr. Bass in objection to the appeal.

Mr. Proctor provided a rebuttal.

Commissioner Gimenez welcomed Ms. Carla Ascencio-Savola, Community Council 12 Chair, whom he noted was present at today's (4/24) meeting.

Commissioner Gimenez noted he believed the application would change the character of the neighborhood.

It was moved by Commissioner Gimenez that the foregoing appeal and application be denied without prejudice. This motion was seconded by Commissioner Jordan and upon being put to a vote, passed by a vote of 11-2 (Commissioners Barreiro and Diaz voted "No.")

Mr. Basu presented the following application:

1. DREAM OF FIELDS GROUP, INC. (08-4-CC-1) 16-55-40/ BCC/District 8

Mr. Basu requested that the foregoing application be deferred to June 5, 2008 with leave to amend.

Mr. Robert Eber, 10761 S.W. 104 Street, attorney representing the property owner, K&B Investments, appeared before the Board in response to Chairman Barreiro's call for objectors to the request for deferral.

Mr. Eber noted the County Commission was presented with a request to appeal an administrative decision in order to limit the number of students at the Florida Gymnastics Training Center to 21 based on a site plan prepared in 1998. He further noted that this limit on students was not a condition of the resolution approved by the Community Zoning Appeals Board #12 and therefore no reason existed for a deferral.

In response to Commissioner Sorenson's request for clarification regarding the requested deferral, Assistant County Attorney Joni Armstrong-Coffey noted that when the department's recommendation was issued and the advertisement was made, no building permit had been issued. She further noted that in the opinion of the County Attorney's Office, the proper way for an objector to address their concern with the department's ruling was to appeal the building permit, which was now issued. She added the advertisement for today's meeting did not refer to an appeal of the building permit. Ms. Armstrong-Coffey also noted the appeal of the building permit would come to the Commission and not to the community council.

Commissioner Sorenson noted that in order to protect the County, the proper procedures should be followed.

Hearing no further questions or comments, it was moved by Commissioner Sorenson that the foregoing application be deferred to June 5, 2008 with leave to amend. This motion was seconded by Commissioner Gimenez and upon being put to a vote, passed by a vote of 13-0.

Mr. Basu presented the following application:

B. R&E AT PALM VISTA II, INC. (08-3-CC-1) 23-56-39 BCC/District 8

Ms. Melissa Tapanes Llahues, attorney representing the applicant, 200 S. Biscayne Boulevard, appeared before the Board. She introduced members of the Rosada family, whom she noted represented R&E at Palm Vista II, Inc.; architect Maria deLeon-Fleites; Nicholas Hernandez, attorney; and her colleagues Jeffrey Bercow and Michael Gil. Ms. Tapanes Llahues made a presentation in support of the foregoing application.

Mr. Bercow added that denial of this application would be inconsistent with the Comprehensive Development Master Plan (CDMP).

Chairman Barreiro opened the public hearing.

The following persons appeared before the Board in opposition to the foregoing application:

- ~Mr. Chuck Anthony, 12966 S.W. 251 Terrace
- ~Mr. Victor Mas, 12113 S.W. 251 Street
- ~Ms. Linda Rose, 24700 S.W. 129 Avenue
- ~Ms. Andrea Sante, 23950 S.W. 129 Avenue
- ~Ms. Marcia Artiles, 24705 S.W. 129 Avenue
- ~Ms. LaQuanna Lightfoot, 24882 S.W. 128 Court
- ~Mr. Oscar Alonso, 12551 S.W. 249 Terrace
- ~Mr. Mohan Ramkissoon, 24650 S.W. 129 Avenue
- ~Ms. Lucinda Endres, 12821 S.W. 248 Terrace
- ~Mr. Mike Hatcher, 25145 S.W. 144 Avenue

The following persons appeared before the Board in support of the foregoing application:

- ~Ms. Carolyn Edgecomb, 13795 S.W. 268 Street
- ~Mr. Ken Forbes, 25121 S.W. 120 Place
- ~Ms. Maria deLeon-Fleites, 2525 N.W. 18 Terrace
- ~Mr. William Delgado, 782 N.W. Lejeune Road

Chairman Barreiro closed the public hearing.

Ms. Tapanes-Llahues provided a rebuttal.

As requested by Commissioner Sorenson, Mr. Basu provided background regarding the charrette process and rezoning related to this application. In response to her question as to

why a restrictive covenant on the subject property was not removed at the time of rezoning, Mr. Basu noted that perhaps a review of all covenants should be incorporated into the rezoning process.

In response to Commissioner Sorenson's inquiry regarding school capacity in the area surrounding the property, Mr. Ivan Rodriguez noted the schools were under-enrolled.

Commissioner Sorenson noted she felt the foregoing application was in the best interest of the community.

It was moved by Commissioner Sorenson that the foregoing application be approved. This motion was seconded by Commissioner Moss.

Commissioner Moss spoke about changes that were happening in South Dade and particularly in his district (Dist. 8). He noted the Commission should support the Comprehensive Development Master Plan process; otherwise the process would break down.

The motion, upon being put to a vote, passed by a vote of 13-0.

All deferral dates on applications considered during today'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 12:37 p.m.

Chairman Bruno A. Barreiro

ATTEST: HARVEY RUVIN, Clerk

By: _____
Kay Sullivan, Deputy Clerk