



**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

May 7, 2009
As Advertised

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Board of County Commissioners

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Clerk of the Board Division

Mary Smith-York, Commission Reporter
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CLERK'S SUMMARY AND OFFICIAL MINUTES
BOARD OF COUNTY COMMISSIONERS ZONING HEARING
May 7, 2009

The Board of County Commissioners met in regular session on Thursday, May 7, 2009, in the County Commission Chambers on the second floor of the Stephen P. Clark Government Center, 111 N.W. First Street, Miami, Florida at 10:00 a.m., the following members being present upon roll call: Vice Chairman Diaz, and Commissioners Barreiro, Edmonson, Gimenez, Heyman, Jordan, Martinez, Rolle, Sorenson, Sosa, and Souto; (Chairman Moss and Commissioner Seijas were absent).

The following staff members were also present: Assistant County Attorneys Joni Armstrong-Coffey and Craig Collier; Planning and Zoning Department Director Marc LaFerrier; Acting Assistant Director Planning and Zoning Maria Fojo; and Deputy Clerks Diane Collins and Mary Smith-York.

Vice-Chairman Diaz called the meeting to order at 10:00 a.m. The Board convened in a moment of silence followed by the Pledge of Allegiance. Vice-Chairman Diaz asked his colleagues to remember Chairman Moss and his family in prayer in his absence today due to a family emergency.

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

Mr. Marc LaFerrier, Director, Department of Planning & Zoning, announced that in accordance with the Code of Miami-Dade County, all items on today's (5/7) zoning agenda were legally advertised in the newspapers, notices were mailed, and the properties posted within the prescribed timeframes. He noted additional copies of the agenda were available in the Chambers and presented the procedures to be followed during today's proceedings.

Vice-Chairman Diaz asked if there were any requests for withdrawals from today's agenda.

Application No. 1: COLONIAL BANK, N.A. (08-12-CZ12-3/08-74)

Mr. John Shubin, Shubin and Bass, 46 S.W. 1st Street, appeared before the Board representing the appellant, Dadeland North, Inc., in Agenda Item No. 1, and asked that this appeal be withdrawn.

Assistant County Attorney Joni Armstrong-Coffey advised that once an item was within the Commission's jurisdiction, it was the Commission's discretion whether to hear the appeal or not. She noted, however, if the Commission chose to allow the withdrawal, it could also allow public comment on the request for withdrawal of the appeal, with the vote being at the Commission's discretion.

Mr. Jeffrey Bercow, attorney representing the applicant, Colonial Bank, N.A., appeared before the Board and noted there was no objection to the withdrawal of this appeal.

Commissioner Gimenez presented a resolution approving the appellant's, Dadeland North, Inc.'s, request for withdrawal of the foregoing appeal of the Community Zoning Appeals Board #12's decision. This motion was seconded by Commissioner Sorenson, and upon being put to a vote, passed by a vote of 9-0, (Chairman Moss and Commissioners Barreiro, Seijas, and Souto was absent). **The foregoing application was assigned resolution no. Z-09-09.**

Mr. Marc LaFerrier, Director, Department of Planning & Zoning, presented the following item and noted there was one protest and no waivers.

Application No. A: MEADOW VIEW SHOPPING CENTER L.L.C. (08-12-CC-4/08-149)

Mr. Juan Mayol, Holland and Knight, 701 Brickell Avenue, attorney representing the applicant, appeared before the Board on behalf of the applicant, Meadow View Shopping Center L.L.C.

Commissioner Martinez noted his concern did not apply to this particular site plan in the foregoing item; however, he advised he had a problem with the Pinecrest Preparatory Academy's (PPA) vehicle stacking process. He described a situation that occurred on Bird Road, which caused an emergency vehicle to cross the median to continue to its destination, due to the stacked cars of parents picking up children. Commissioner Martinez emphasized that this situation created unsafe and hazardous conditions for parents, children, and the school, and requested that school operators eliminate this stacking practice.

Mr. Fernando Zulueta, 6341 Sunset Drive, President, Academia Corporation, appeared before the Board and advised he was recently made aware of this problem at (PPA), and noted he had met with the school's Director, Ms. Susie Dopico, to address this matter. He pointed out that PPA was designed prior to adoption of the Charter School Ordinance, and was not subject to the traffic standards currently in effect. Mr. Zulueta noted his organization revisited the school's site plan and determined that a possible solution would be to change the interior stacking configuration of this site on a retrofit basis, converting the service alley into a pick-up/drop-off area. He noted this change would increase the available vehicle storage outside that facility. Mr. Zulueta further noted his organization was also exploring other solutions, including staggered pick-up times.

Discussion ensued between Commission members and Mr. Zulueta regarding whether the proposed changes at this existing school would be a Jennings violation and whether it would require a zoning change to relocate the drop-off/pick-up area to a location behind the school.

Mr. Marc LaFerrier, Director, Department of Planning & Zoning, stated the site could be modified in three ways: 1) substantial compliance; 2) changing access ways as related to a roadway; or 3) relocation of buildings. He explained that a substantial compliance change, similar to what the Board approved could be implemented administratively by the department; however, changing access ways or relocating buildings would need to come back to the Board. Mr. LaFerrier noted he would ask the applicant to visit the department and show what was being

discussed and staff would work through the issues with the Board, and if requested to do so, would bring back the proposed changes before the Board.

Commissioner Martinez asked Assistant County Attorney Collier and Mr. LaFerrier to let him know, by the end of next week, whether he could meet with Mr. LaFerrier and Mr. Zulueta to discuss solutions of this problem.

Vice-Chairman Diaz asked everyone present in support of the foregoing application to stand and be recognized.

Commissioner Martinez presented and moved a resolution which approved the application of Meadow View Shopping Center L.L.C., under the DIC recommendation as follows: approval with conditions of requests #1 through #5 as set forth in the Department of Planning and Zoning's recommendation and subject to the Board's acceptance of the proffered covenant, and withdrawal of request #6. This motion was seconded by Commissioner Gimenez, and upon being put into a vote, passed by a vote of 9-0, (Chairman Moss and Commissioners Barreiro, Seijas, and Souto was absent).

The foregoing application was assigned resolution no. Z-08-09.

Mr. Marc LaFerrier, Director, Department of Planning & Zoning, presented the following three (3) applications simultaneously, advising the three were separate applications and appeals regarding the same site, Presidential Estates Homeowners Association, Inc. Mr. LaFerrier stated the appeals addressed the Administrative Site Plan Review (ASPR) approval, and a possible takings and vested rights claim, and advised that no protests and no waivers were submitted in connection with these items.

APPLICATION NO. 2: PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & IRVIN JOSEPH (09-5-CC-1/06-203)

APPLICATION NO. 3: PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & SAMUEL B. FELD (09-5-CC-2/07-212)

APPLICATION NO. 4: PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & SAMUEL B. FELD (09-5-CC-3/07-213)

Assistant County Attorney Joni Armstrong-Coffey advised that it was the Board's discretion to have the Department of Planning & Zoning (DP&Z) Director explain the framework in which these three (3) items were brought before the Board. She pointed out that the foregoing items were three different zoning appeals that would require three separate votes.

Mr. LaFerrier, Director, Department of Planning & Zoning, provided the following summary of the foregoing appeals to the department's decisions to approve three (3) site plans in its ASPR approval:

These approvals were provided by the department in 2006 and 2007, at the Presidential Estates Golf Club. The property was zoned RU-4M, which allowed approval of site plans to be provided by the ASPR process. The original rezoning of the property was done in 1986, which included a covenant to provide entitlements to the property for 800 dwelling units and a golf course of at least 5400 yards. Only 173 dwelling units and a golf course of approximately 6500 yards with a clubhouse had been constructed on site, to date. In 2006, the department approved a site plan for 292 dwelling units and a golf course of at least 5400 yards in length. In 2007, the amount of dwelling units in that plan was reduced to 78 units and a golf course of at least 5400 yards. Later in 2007, the plan was reduced again 76 dwelling units and a golf course, which the department approved through the ASPR process. The golf course of at least 5400 yards in length was included in all of the site plans. If the development plans had been proposed with a golf course of less than 5400 yards, a provision in the covenant requiring the approval of 75% of the property owners on the site and those within 500 feet of the site, would be in effect. The same requirement would be in effect if the golf course on this site were developed in its final state or configuration. The department's approval of the subject three site plans was based on the RU-4M zoning, which allowed development on the site to be approved by the ASPR process. In addition, the approved site plans complied with all of the codes and covenants required for the site. The reconfigured golf course had always been proposed to be at least 5400 yards in length, as required by the covenant, in all the ASPRs that were approved. By evidence of the entitlements of 800 units and the fact that the current golf course was 6500 yards in length, the current development of the site could be modified, and was not in its final state or configuration. It was the department's decision to approve these site plans and, in addition, testimony and action requested for a claim to take these investment rights allegations might be presented.

In response to Vice-Chairman Diaz request that the foregoing three (3) applications be framed as one (1) and conduct one public hearing for all three items, Ms. Armstrong-Coffey affirmed this was appropriate, and asked the Court Recorder to include the substance of this public hearing in the transcripts of each one of the appeals.

Mr. Stephen Helfman, 2525 Ponce de Leon Boulevard, attorney representing the appellant, Presidential Estates Homeowners Association, Inc., appeared before the Board and noted the time he was given would not be sufficient to make his presentation for all three appeals.

Mr. John Shubin, Shubin and Bass, 46 S.W. 1st Street, attorney representing Presidential Club L.L.C, the respondent, appeared before the Board and requested both attorneys be granted equal time for presentation.

Following a brief discussion among members of the Commission, County staff, and council for the opposing parties, regarding an appropriate timeframe for presentations, Vice-Chairman Diaz noted the attorneys would have thirty (30) minutes each, followed by an open forum to the public.

Mr. Helfman noted he represented the Presidential Estates Homeowner's Association which consisted of 173 single-family homes, as well as Mr. Feldman and Mr. Joseph, individually. He described the geographic location and provided a historical overview and orientation of the subject golf course property, highlighting the following points:

- 1986: blanket approval of rezoning for 160 acres for residential development, controlled by a covenant, rather than a site plan;
- 1996: COSCAN Development Corp. purchased the property;
- 1996-97: COSCAN site planned and platted the property with 173 single-family homes and a golf course platted into separate distinct tracts;
- 1998: golf course fully renovated and sold to Presidential Country Club, Inc. for \$2.6 million; COSCAN's involvement terminated;
- 2000: entire development completed and sold to individual homeowners and golf course operated by Golf Course Company of America; and
- 2005: Mr. Michael Bowman (phonetic), a resident within the development, purchased the golf course for \$6.5 million.

Mr. Helfman noted Mr. Bowman purchased the golf course with intentions of developing 292 condominium units (13 eight-story buildings) on the property, for which the County provided Administrative Site Plan approval. Mr. Helfman further noted in May 2005, Mr. Bowman (phonetic) submitted two additional plans, which accounts for the three different appeals. He identified the following as areas where staff made a mistake:

- Control Density: Paragraph A, page one of Declaration of Restrictions in the Covenant required that the owner must specify in any instrument conveying portions of the property, the number of units being conveyed with that property; and
- Prior to the sale or transfer of any portion of the property, the owner should notify in writing, the Director of the Dade County Building and Zoning Department of the property to be transferred, specifying the description of the land and the number of units to be constructed pursuant to the conveyance.

Mr. Helfman noted that when this property was sold to Presidential Country Club, Inc., there was no mention of conveyance of units or reference to dwelling units, pointing out that this property had no development rights. Mr. Helfman advised that specific language in the covenant provided that the golf course shall never be built upon without the consent of 75% of the people in the development and within 500 feet outside the development and the approval of the County Commission. He read into the record the following language from page 9 of the covenant: "...in no event shall the owner ever utilize the golf course for other than a golf course, a bike path, a jogging path, or open space, without the prior written approval of 51% of the owners of residential units within the boundary, and 375 feet outside the north/south/east exterior boundaries of the property, and approval of the same by the Board of County Commissioners after a public hearing..." Mr. Helfman referenced a letter to Mr. Price from Mr. Ronaldo Acle, Zoning Plans Processor 3, DP&Z, regarding this property, which read "...be aware that the development of the golf course is prohibited by a declaration of restrictive covenants. Said covenant restricts the use for golfing, bike, jogging paths, and open space. Any modification or deviation from said uses required the written consent of 51% of the residential unit owners, as well as a public hearing..." Mr. Helfman indicated Mr. Acle's decision was somehow completely reversed and the letter rewritten without this provision. He recognized Mr. Guillermo Olmedillo, former DP&Z Director, to share his thoughts on the ability to develop this golf course and the two restrictions introduced earlier.

Mr. Shubin noted his party had previously objected to Mr. Olmedillo's testifying as an expert witness today. He referred to the ten-day rule, which stated that before introducing an expert

witness, disclosure of that person's name, the substance of his/her opinion, and a summary of that opinion had to be provided. Mr. Shubin advised that the letter introducing Mr. Olmedillo as an expert witness on these issues did not specifically disclose the opinion.

Assistant County Attorney Armstrong-Coffey advised that the decision of whether the disclosure was sufficient was at the discretion of the Commission. She explained the code provisions regarding the written summary and noted that, in the Courts, the question of whether a witness was excluded dependent upon how prejudicial the admission of that testimony was.

Mr. Helfman stated Mr. Olmedillo was being presented as an expert witness and a fact witness. He noted the language in the letter was sufficient and requested the Commission to allow Mr. Olmedillo to provide his testimony.

Mr. Shubin referenced the rules of fair play in court, and pointed out the summary of the expert witness' opinion was never stated, and neither was the opportunity given to the other side to depose the witness before the hearing. He further stated the written documents before this Board today were the best evidence of the facts pertaining to this case.

Mr. Shubin answered he had not deposed Mr. Olmedillo, nor did he receive a copy of the witness letter from Mr. Olmedillo prior to this hearing, in response to Commissioner Sorenson's inquiry.

Ms. Armstrong-Coffey advised that as to Mr. Olmedillo's factual knowledge about this case, there was no basis to exclude this witness or his factual testimony; however, to the extent he was being presented as an expert, the burden would be on the opposing party to show how the witness was being prejudice. Ms. Armstrong-Coffey recommended that following Mr. Olmedillo's presentation, if any objections as to how the opposing party was being harmed were raised, and the Commission agreed the testimony was harmful, that testimony could be disregarded.

In response to Commissioner Martinez' question of whether it was in the Commission's jurisdiction to decide if testimony was harmful, Ms. Armstrong-Coffey stated it was within the Commission's power to make that ruling. As to Commissioner Jordan's question regarding whether the ten-day requirement was met, Ms. Armstrong-Coffey also stated the letter was timely; however, in question was whether the description of Mr. Olmedillo's expert testimony was considered sufficient disclosure.

Ms. Armstrong-Coffey clarified process by which the Commission would determine whether a witness' testimony was prejudicial, advising that it was initially the Chair's ruling. She continued that a ruling on an objection was administered question by question, which would be sustained or overruled by the Chair. She further noted if the full Commission disagreed with the Chair, it could then overrule the Chair's decision.

Vice-Chairman Diaz expressed his approval to allow Mr. Olmedillo to appear and provide testimony as a factual and expert witness.

Mr. Shuman requested the opportunity to question the witness following his testimony, as well as permission to cross examine him should the Chair allow the testimony to be entered into the record.

Mr. Guillermo Olmedillo, 330 Greco Avenue, appeared before the Board as a factual and expert witness on behalf of the appellants. He explained the normal process for a large application, which included the applicant meeting with the Director to discuss what was proposed and the history of the property, had occurred in this case. He noted the presentation was to have a community, following the 86 zoning approval, with approximately 200 single family units and a golf course that would be there for a minimum 15 years. Mr. Olmedillo noted the provision further stated that after 15 years, the golf course could remain as it was, or it could become a jogging path, or open space. He noted another section of the covenant provided that the developer must inform the department of the concept of development and what the allocation of units would be. Mr. Olmedillo explained there existed a plat that specified a number of units to be developed and a plat that indicated this was a golf course. He noted after 15 years, a percentage of the residents and neighbors located up to 375 feet around the golf course could change the plans. He stated the way to perfect the subject golf course, from the County's standpoint, was the plat. Mr. Olmedillo noted his conclusion was to approve the plat. He added there were subsequent approvals in 1996 and 1997, and following his departure from the department in 2001, further applications were also filed. He noted his understanding was when the application was filed, the covenants were part of the restrictions.

In response to Mr. Shubin's question of whether Mr. Olmedillo was being paid for appearing today or if he was appearing voluntarily, solely as a fact witness, Mr. Olmedillo stated he was hired and compensated for his time to be an expert and fact witness for this case by the firm, where Mr. Stephen Helfman was a partner. Mr. Olmedillo replied yes, to the question of whether he had seen the alleged disclosure that Mr. Helfman made to Mr. LaFerrier on April 24, 2009, regarding Mr. Olmedillo's testimony. Responding to Mr. Shubin's request that he point out language in the disclosure that mentioned any of the arguments just presented, Mr. Olmedillo indicated this was stated in the second paragraph.

Mr. Shubin explained that the opposing party had not complied with the County Code for disclosure of witness testimony by neglecting to disclose the substance or the basis of the testimony, failing to copy his firm, and by presenting an entirely new argument. He noted this testimony was prejudiced and moved to strike it from the record.

Ms Armstrong-Coffey advised the Board might wish to hear from council presenting the expert to demonstrate whether or not this issue was raised previously to the knowledge of Mr. Shubin.

Mr. Helfman advised that his firm delivered notice of this specific issue to the County on April 24, 2009. He noted the appellants were challenging a question by the County; however, he pointed out that the County had not objected to Mr. Olmedillo's testimony. Mr. Helfman further noted the files were available for Mr. Shubin's review ten days before today's hearing.

Mr. Shubin reiterated that his firm was never copied on the expert disclosure letter and explained the letter was found while diligently reviewing the files.

In response to Commissioner Sorenson's request for clarification on whether the appellant was required to copy the opposing council on the item, Assistant County Attorney Armstrong-Coffey advised the code did not require notification of any other party.

It was moved by Commissioner Jordan that the testimony of the factual and expert witness be accepted by the Commission. This motion was seconded by Commissioner Gimenez, and upon being put to a vote, passed by a vote of 9-0 (Chairman Moss and Commissioners Martinez, Seijas, and Sosa were absent).

Following his cross examination of Mr. Olmedillo, Mr. Shubin again asked that the testimony not be allowed into the record.

Mr. Shubin asked that after hearing the testimony of each speaker, the Commission only consider that testimony directed to the points raised in the appeal.

Vice Chairman Diaz opened the floor to public input and the following individuals appeared in support of the appeal and opposition to the Director's decision:

- 1) Mr. Paul Barnett, 1668 Diplomat Drive;
- 2) Ms. Fanny Feldenkreis Manono, 1452 Presidential Way;
- 3) Mr. Jeffrey Frantz, 19431 Ambassador Court;
- 4) Ms. Gayle Yagman, 1700 NE 197 Terrace;
- 5) Ms. Lynn Roditi Elovic, 19592 Diplomat Drive;
- 6) Mr. Jeffrey Levine, 1627 Diplomat Drive;
- 7) Ms. Bari Schanerman, 2145 NE 207 Street;
- 8) Mr. Bob Weisblum, 1800 NE 196 Terrace;
- 9) Mr. Alan Zackman, 19402 Diplomat Drive;
- 10) Ms. Susan Fried, 1875 NE 197 Terrace;
- 11) Mr. Scott Temares, 1657 Diplomat Drive;
- 12) Mr. Jacob Safdeye, 19447 NE 17 Avenue; and
- 13) Mr. Steve Silverman, 19435 NE Presidential Way.

Following the speakers in support of the foregoing appeals, Chairman Diaz recognized Mr. John Shubin, attorney representing the owner, Presidential Club, LLC.

Mr. John Shubin, Shubin and Bass, 46 S.W. 1st Street, attorney representing the property owner, Presidential Club L.L.C, appeared before the Board and noted partners and members of his firm were present today, along with representatives of the developer and the property owner, Mr. Michael Bowman (phonetic). He noted the planning team that designed the site plan and Mr. Al Torres, who worked on the site plan in 1996-97 and 2006-07, were also present today to answer questions and provide information. He asked any Presidential Estates resident who testified earlier, to come forward if they did not receive homeowners' documents and a deed that made specific references to the 1986-87 Covenant when they closed on their units. He asked that Ms. Fried and Mr. Weisman to also come forward, if they were not represented by Mr. John Fletcher as their council during the 1986-87 litigation. Mr. Shubin advised there were three separate site plans under appeal:

- Site Plan A – 25 town-home units and 267 units deployed in eight-story buildings;
- Site Plan B – 78 town-home units, which was also appealed by the neighbors; and
- Site Plan C – 76 town-home units deployed in eight-story buildings.

Mr. Shubin advised that County staff stated all three plans complied with the zoning and covenants recorded as of record. He noted these site plans were comprehensively reviewed and the neighbors were represented every step of this process. He further noted these three site plans were approved and complied in all respects with the covenants and zoning, and pointed out in many cases, property owners who needed a single-family or zero lot line properties, only had to pull a permit. Mr. Shubin indicated this hearing was on the appeals of three site plans and noted the standard was whether or not the director erred, which in legal terms was called “the clearly erroneous rule.” He stated that if an agency’s interpretation of its own rules and covenants was within the range of the possible and the reasonable interpretations, then it was not clearly erroneous and should be affirmed. He pointed out that Mr. Helfman carried the burden to prove, through competent and substantial evidence, that the director’s interpretation was unreasonable. Mr. Shubin noted the Commission, in its quasi-judicial capacity, must remain focused on the record and the facts, as well as the standards, the law, and the staff’s report, which was competent and substantial evidence. He pointed out that the controlled density provision did not apply in this case, because it was incorporated into the 1986 covenants, but was not re-incorporated into the 1987 covenants, in consideration of the owner’s agreement to reduce the number of units by fifty.

Mr. Shubin stated the facts were: the property was zoned RU-4M; up to 800 units were permitted, subject to the covenants, but only 163 built to date; the only limitations were those set forth in the covenants; and those covenants had been complied with after being reviewed at great lengths. He emphasized the fact that there were three covenants and described them as the 1986-87 Covenants, which were with the County and part of the Fried litigation, and the 1997 Covenants that were completely private and not within the County’s jurisdiction, which extended only to the analysis of the 1986-87 Covenants (Public Covenants). Mr. Shubin pointed out that if the County approved the site plans today and denied the appeals, the neighbors would continue actively arguing that the private covenants protected them, and if they won on the issue of the 1997 covenants, that would override this Commission’s decision. Mr. Shubin stated anything the Commission decided, that was within its jurisdiction, would be simultaneously off limits in the court case, and advised members of the Commission to ignore those issues raised from the private covenants. He read into the record statements taken from a transcript of the Development Impact Committee (DIC) Upper Council Hearing last month, in which Mr. Helfman acknowledged that the developer had the right to build the 800 units. Mr. Shubin asked the Commission to deny all three of the foregoing appeals. He emphasized that the site plans did not eliminate the golf course nor would it be shut down for construction. Mr. Shubin added that this was a union supported project and the investment funds were union retirement funds used to fund the acquisition and development of this property. He noted several people were present in support of this project, and asked them to stand and be recognized.

Chairman Diaz opened the floor to anyone wishing to speak in connection with this issue, and the following individual(s) appeared in opposition to the foregoing appeals and in support of staff’s decision:

- 1) Mr. Bill Riley, President, South Florida Building Trades Council and Business Manager of International Brotherhood of Electrical Workers Local 349;
- 2) Mr. Miguel Fuentes, 295 W. 79 Place, representing the Florida Carpenters Council;
- 3) Mr. John Lindstrom, 2626 SW Bear Paw Trail, representing Plumbers & Pipe-fitters Union; and
- 4) Mr. Tom De Santis, Training Manager, Florida Carpenters Council, 3211 Dover Road, Pompano Beach.

Seeing no other individual(s) wishing to speak, Vice-Chairman Diaz closed the public hearing.

Mr. Shubin noted his presentation was abbreviated in the essence of time, and advised that all members of his team, including Mr. Alberto Torres and Mr. Stanley Price, were available to answer questions.

In his rebuttal argument, Mr. Helfman stated, for the record, that although his team was making its presentation before the Board of County Commissioners, they were not waiving their argument that this should have been heard by the Community Zoning Appeals Board (CZAB). He noted Mr. Bowman (phonetic) put his partners into a bad investment and noted he empathized, but stated that was no reason to violate covenants. Mr. Helfman noted Mr. Shubin said the reason Mr. Helfman had not brought up the issue of development rights on page one of the covenant, was because it was not in the 1987 covenant. Mr. Helfman pointed out two (2) specific provisions in the second covenant, providing that it reaffirms everything in the original covenant and that it was supplemental. He further clarified that these covenants were supplemental restrictions affecting the use of the subject property and were not meant to limit any other restrictions voluntarily imposed on the property, by the owner, by the original covenants. Following additional rebuttal arguments, Mr. Helfman noted there had been a complete absence of review of the critical document that governed this entire place. He noted, in conclusion, that the document those residents, who spoke earlier, bought their property under contained language providing that "...this is just like your covenant; in no event shall the owner ever utilize the golf course for other than golf course, bike or jogging path, or open space landscaped area, without the prior written approval of the Board of County Commissioners after a public hearing.

Ms. Armstrong-Coffey asked that, in accordance with the Board's rules and procedures, all documents presented before this Board today be provided to the Clerk.

Commissioner Gimenez noted he found none of the language in the 1987 covenant to be in conflict with the provision on page 9 of the original 1986 covenant. He questioned how this document came to be presented before the County Commission.

Responding to Commissioner Gimenez' inquiry, Mr. LaFerrier noted the provision in the 1987 supplemental covenants indicated the continuation of the 1986 covenant, and staff's analysis was there would be no conflicts, particularly in the provision of the 1986 covenant regarding further use of the golf course. He also noted staff felt the defining point was that the golf course occurred in the same provision as the one that described a golf course to have 5400 yards. He continued explaining that this golf course, was actually 6500 yards, and if it were reduced to a

dimension not less than 5400 yards, it would still be a golf course under the definition in that provision of the covenant.

Commissioner Sorenson questioned whether the provision in the 1986 covenant under letter "A" providing that "...in order to ensure the proportionate spreading of density, the owner shall specify, in any instrument conveying portions of the property, the number of residential units allocated to the property being conveyed..." was complied with when Mr. Bowman (phonetic) purchased the property.

In response to Commissioner Sorenson's question, Mr. Leerier stated staff had no record of that notification being provided to the department previously.

Mr. Helfman, also responding to Commissioner Sorenson's question, stated a closer look at the language revealed the provision read, "...prior to the first conveyance of any piece of property..." He pointed out that Mr. Bowman was the third, not first, purchaser of the property, therefore, not subject to that provision. He noted Mr. Shubin would claim that Mr. Bowman acquired the original owner's rights, and recommended the documents conveying this property to COSCAN be revisited to ascertain whether the number of residential units was provided.

Mr. Shubin concurred with Mr. Helfman's comment that Mr. Bowman acquired all rights, title, and interest of the original developer, which meant the need for that information, was not required. Pertaining to the controlled density issue, he noted the 1987 covenants specifically provided that they be reaffirmed, unless they conflicted. Mr. Shubin pointed out that County staff concluded the reduction in density provision, reducing 850 units to 800 units, superseded the original provision, upon which Mr. Helfman relied. Mr. Shubin continued to maintain this was a conflict, which was confirmed by the staff, as well as Mr. Torres. He noted Ms. Maria Fojo's (Planning and Zoning Acting Assistant Director) response was "zoning" in her deposition on October 23, 2008, regarding what controlled density levels. Mr. Shubin stated she also advised that the covenant could control zoning, and he pointed out that the original covenant provided for 850 units, which was reduced to 800 units.

In response to Commissioner Sorenson's question as to which covenant prevailed in light of a conflict, Ms. Armstrong-Coffey advised that the 1987 covenant brought forward the provisions that did not in conflict with the 1986 covenant. She added, in the event of a conflict between the provisions, the 1987 covenant would prevail. She noted it was the Board's task to interpret the subject provision, among others, in light of the evidence received today.

Discussion ensued among Board members regarding whether the provisions in the covenants allowed for the development of the proposed units.

Mr. Shubin advised that 627 units remained in the debit card (vested rights plan); however, he stated he would be prepared to retire, in perpetuity, all but 78 units in the low rise site plan B.

Mr. Helfman noted his clients were not interested in Mr. Shubin's offer because they would lose their entire view of the golf course.

In response to Commissioner Martinez' request for her recommendation, Ms. Armstrong-Coffey advised there was sufficient evidence in the record to support staff's decision.

Commissioner Heyman spoke in support of the Appeals of Items 2, 3, and 4. She noted her interpretation was that the developer's rights were under the covenants, which clearly stated the restrictions and responsibilities for 1986 and 1987.

There being no further questions or comments the Board proceeded to vote.

APPLICATION NO. 2: PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & IRVIN JOSEPH (09-5-CC-1/06-203)

Commissioner Heyman presented and moved a resolution to approve the appeal. This motion was seconded by Commissioner Sorenson, and upon being put to a vote, passed by a vote of 9-0 (Chairman Moss and Commissioners Seijas, Souto, and Barreiro were absent).

The foregoing resolution was adopted by the Board and is set forth in the Record of Resolutions and assigned No. Z-09-10

APPLICATION NO. 3: PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & SAMUEL B. FELD (09-5-CC-2/07-212)

Commissioner Heyman presented and moved a resolution to approve the appeal. This motion was seconded by Commissioner Sorenson, and upon being put to a vote, passed by a vote of 9-0 (Chairman Moss and Commissioners Seijas, Souto, and Barreiro were absent).

The foregoing resolution was adopted by the Board and is set forth in the Record of Resolutions and assigned No. Z-09-11

APPLICATION NO. 4: PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & SAMUEL B. FELD (09-5-CC-3/07-213)

Commissioner Heyman presented and moved a resolution to approve the appeal. This motion was seconded by Commissioner Sorenson, and upon being put to a vote, passed by a vote of 9-0 (Chairman Moss and Commissioners Seijas, Souto, and Barreiro were absent).

The foregoing resolution was adopted by the Board and is set forth in the Record of Resolutions and assigned No. Z-09-12

Following the Board's approval of the foregoing appeals, Mr. Stanley Price, co-counsel with Mr. Shubin representing the owner, Mr. Bowman (phonetic), appeared before the Board and requested the vested rights hearing for the foregoing applications be deferred to a later date.

Ms. Armstrong-Coffey advised the Board that there was no second decision to be made. She noted, as part of the package, there was a recommendation from the Executive Council of the DIC Committee providing that no taking or deprivation of vested rights would occur if the Board approved the appeals and denied the developments. Ms. Armstrong-Coffey advised it was the discretion of the Board whether to reconsider its action and reopen these applications; however, the preceding motion took all vested rights concerns into account.

Mr. Price expressed concern that the Board's motion to approve the appeals also denied the applicant's vested rights claim without mentioning "vested rights" in the motion or at any time during the presentation of evidence.

Ms. Armstrong-Coffey noted ample evidence was in the record and this process was consistent with other vested rights and takings proceeding presented before the Board. In response to Mr. Price's question of whether he would receive a separate document stating the applicant's vested rights were denied, Ms. Armstrong-Coffey noted there would be no separate document for this purpose.

Responding to Mr. Price's question of whether a provision stating the applicant's vested rights were denied would be included in the resolution granting this appeal, Ms. Armstrong-Coffey stated this argument was placed before the DIC Council by the developer and therefore, preserved. However, she noted the vested rights argument was not foregone for purposes of appeal. Ms. Armstrong-Coffey responded yes to Commissioner Martinez' inquiry of whether the issue could still be considered if the Board did not believe the vested rights argument decision was included in its vote.

There being no further business to come before the Board of County Commissioners, the zoning hearing was adjourned at 1:39 p.m.



Chairman, Dennis C. Moss
Board of County Commissioners

ATTEST: HARVEY RUVIN, Clerk

By: 

Diane Collins
Deputy Clerk

Worksheet



Official Zoning Agenda

BOARD OF COUNTY COMMISSIONERS

COUNTY COMMISSION MEETING OF THURSDAY, MAY 7, 2009

NOTICE: THE FOLLOWING HEARING IS SCHEDULED FOR 9:30 A.M., AND

ALL PARTIES SHOULD BE PRESENT AT THAT TIME

ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION BE GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT.

NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR OPPOSITION TO A SPEAKER OR HIS OR HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBER. PERSONS EXITING THE COMMISSION CHAMBER SHALL DO SO QUIETLY.

THE USE OF CELL PHONES IN THE COMMISSION CHAMBERS IS NOT PERMITTED. RINGERS MUST BE SET TO SILENT MODE TO AVOID DISRUPTION OF PROCEEDINGS. INDIVIDUALS, INCLUDING THOSE ON THE DAIS, MUST EXIT THE CHAMBERS TO ANSWER INCOMING CELL PHONE CALLS. COUNTY EMPLOYEES MAY NOT USE CELL PHONE CAMERAS OR TAKE DIGITAL PICTURES FROM THEIR POSITIONS ON THE DAIS.

THE NUMBER OF FILED PROTESTS AND WAIVERS ON EACH APPLICATION WILL BE READ INTO THE RECORD AT THE TIME OF HEARING AS EACH APPLICATION IS READ.

THOSE ITEMS NOT HEARD PRIOR TO THE ENDING TIME FOR THIS MEETING, WILL BE DEFERRED TO THE NEXT AVAILABLE ZONING HEARING MEETING DATE FOR THIS BOARD.

SWEARING IN OF WITNESSES

- (1) SPECIAL EXCEPTION for a charter school.
- (2) SPECIAL EXCEPTION to permit a senior high school within one mile of the UDB.
- (3) MODIFICATION of Condition #2 of Resolution No. CZAB10-61-06, passed and adopted by Community Zoning Appeals Board #10 reading as follows:

FROM: "2. That the use be established and maintained in accordance with the approved plans submitted for hearing entitled 'Park Meadow Retail Center,' prepared by RSC Group LC, consisting of sheets L-1, A-2, A-2.1, A-3.1, and A-4 through A-9 dated stamped received 3/17/06, and sheets A-1, A-1.1, A-3, A-4.1, A-6.1, A-6.2, A-6.3, A-8.0 and A-8.1, dated stamped received 10/13/06."

TO: "2. That the use be established and maintained in accordance with the approved plans submitted for hearing entitled 'Pinecrest Academy Charter School West Campus,' as prepared by Civica Architecture & Urban Design, dated stamped received 9/29/08 and consisting of 9 sheets."

- (4) DELETION of Condition #3 of Resolution No. CZAB10-61-06, passed and adopted by Community Zoning Appeals Board #10 reading as follows:

"3. That the main retail center building's second-story be limited to office use and parking only."

- (5) DELETION of a Declaration of Restrictions recorded in Official Record Book 22345, Pages 1452-1460, last modified by a Modification of a Declaration of Restrictions, recorded in Official Record Book 26570, Pages 1781-1803.

The purpose of Requests #3 - #5 is to allow the applicant to submit new plans showing a charter school in lieu of the previously approved shopping center and to delete two covenants tying the site to the previously approved shopping center.

- (6) Applicant is requesting to permit a one-way drive to be 11' in width (14' required)

Upon a demonstration that the applicable standards have been satisfied, approval of requests #3-#5 may be considered under §33-311(A)(7) (Generalized Modification Standards) or §33-311(A)(17) (Modification or Elimination of Conditions or Covenants After Public Hearing) and approval of request #6 may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

The aforementioned plans are on file and may be examined in the Department of Planning and Zoning. Plans may be modified at public hearing.

LOCATION: 14901 S.W. 42 Street, Miami-Dade County, Florida.

SIZE OF PROPERTY: 3.28 Acres

Development of Impact Committee
Recommendation:

Approval with conditions of requests #1 through #5 as set forth in the Department of Planning and Zoning's recommendation and subject to the Board's acceptance of the proffered covenant; and withdrawal of request #6..

Z-08-09

Protests: _____ 1 _____

Waivers: _____ 0 _____

APPROVED: Mart/Com

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

AB: Barr, Seijas, Moss, Souto

Deferred from 02/05/09

w/d

1. COLONIAL BANK, N.A. (08-12-CZ12-3/08-74)

36-54-40
BCC/District 7

DADELAND NORTH, INC. is appealing the decision of COMMUNITY ZONING APPEALS BOARD #12, which approved the following:

- (1) Applicant is requesting to permit a bank setback 10' (75' required) from the front (north) property line abutting an "E" Street (US Hwy #1).
- (2) Applicant is requesting to waive the zoning regulations requiring a minimum of 75% of the building frontage to be along the "B" Street (S.W. 67 Avenue); to permit a building frontage of 56'1" (114' required).
- (3) Applicant is requesting to permit the sidewalk to be 6' in width (8' required) along the "B" street (west) property line.
- (4) Applicant is requesting to permit surface parking setback 7'9" (30' required) along the "B" street (west) property line.

Upon a demonstration that the applicable standards have been satisfied, approval of the requests may be considered under §33-311(A)(4)(b) (Non-Use Variance) or (c) (Alternative Non-Use Variance).

Plans are on file and may be examined in the Department of Planning and Zoning entitled "Colonial Bank – Dadeland Branch," as prepared by Glen Hanks Consulting Engineers, Inc., Sheet SP-1, dated stamped received 7/29/08 and Sheets "A-1.1" and "A-3.1", as prepared by Reynolds, Smith and Hills, Inc., dated stamped received 8/28/08 and the remaining 3 sheets entitled "Colonial Bank," as prepared by Landscape Architects Collaborative, dated stamped received 7/29/08, for a total of 6 sheets. Plans may be modified at public hearing.

LOCATION: 6601 South Dixie Highway, Miami-Dade County, Florida.

SIZE OF PROPERTY: 0.594 Acre

Developmental Impact Committee
Recommendation:

Denial without prejudice of the appeal and approval with conditions of the application under Section 33-311(A)(4)(b)(NUV)..

Protests: 1

Waivers: 0

APPROVED: _____

DENIED WITH PREJUDICE: _____

DENIED WITHOUT PREJUDICE: _____

DEFERRED: _____

Withdrawn by appellant Gim/Soren 9-0 Ab: Seij, Mgs, Sab, Barr

2. PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & IRVIN JOSEPH

(09-5-CC-1/06-203)

05-52-42

BCC/District 4

Z-10-09

Appeal of an administrative decision alleging that the Department of Planning and Zoning erred in the approval of Administrative Site Plan Review application #A2006000004.

The purpose of this appeal is to reverse the Department's administrative approval of a specific site plan, which the applicant claims is in violation of the zoning regulations and the declarations of restrictions running with the land.

3. PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & SAMUEL B. FELD

(09-5-CC-2/07-212)

05-52-42

BCC/District 4

Z-11-09

Appeal of an Administrative Decision alleging that the Department of Planning and Zoning erred in the approval of Administrative Site Plan Review application #A2007000011.

The purpose of this appeal is to reverse the Department's approval of a specific site plan, which the applicant claims is in violation of zoning regulations and the declarations of restrictions running with the land.

4. PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & SAMUEL B. FELD

(09-5-CC-3/07-213)

05-52-42

BCC/District 4

Z-12-09

Appeal of an administrative decision alleging that the Department of Planning and Zoning erred in the approval of Administrative Site Plan Review application #A2007000010.

The purpose of this appeal is to reverse the Department's administrative approval of a specific site plan, which the applicant claims is in violation of the zoning regulations and the declarations or restrictions running with the land.

LOCATION: 19560 N.E. 18 Avenue, Miami-Dade County, Florida.

SIZE OF PROPERTY: 104.28 Acres

ZONING ACTION

MEMORANDUM

Harvey Ruvin
 Clerk of the Circuit and County Courts
 Clerk of the Board of County Commissioners
 (305) 375-5126
 (305) 375-2484 FAX
 www.miami-dadeclerk.com



DATE: 5/7/2009 **#Z-08-09**

ITEM: A.

APPLICANT: MEADOW VIEW SHOPPING CENTER LLC
 (08-12-CC-4/08-149)
MOTION: APPROVAL OF APPLICATION WITH
 DIRECTIONS TO STAFF

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				X
Edmonson		X		
Gimenez	S	X		
Heyman		X		
Jordan		X		
Martinez	M	X		
Rolle		X		
Seijas				X
Sorenson		X		
Sosa		X		
Souto				X
Vice Chairman Diaz		X		
Chairman Moss				X
TOTAL		9	0	4

DATE: 5/7/2009 **#Z-09-09**

ITEM: 1

APPLICANT: COLONIAL BANK, N.A.
 (08-12-CZ12 - 3/08-74)
MOTION: WITHDRAWAL OF APPEAL BY APPLICANT

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				X
Edmonson		X		
Gimenez	M	X		
Heyman		X		
Jordan		X		
Martinez		X		
Rolle		X		
Seijas				X
Sorenson	S	X		
Sosa				X
Souto		X		
Vice Chairman Diaz		X		
Chairman Moss				X
TOTAL		9	0	4

DATE: 5/7/2009 **#Z-10-09**

ITEM: 2

APPLICANT: PRESIDENTIAL ESTATES HOMEOWNERS
 ASSOCIATION, INC. & IRVIN JOSEPH (09-5-CC-1/06-203)
MOTION: APPROVAL OF APPEAL

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				X
Edmonson		X		
Gimenez		X		
Heyman	M	X		
Jordan		X		
Martinez		X		
Rolle		X		
Seijas				X
Sorenson	S	X		
Sosa				X
Souto		X		
Vice Chairman Diaz		X		
Chairman Moss				X
TOTAL		9	0	4

DATE: 5/7/2009 **#Z- 11-09**

ITEM: 3

APPLICANT: PRESIDENTIAL ESTATES HOMEOWNERS
 ASSOCIATION, INC. & SAMUEL B. FELD
 (09-5-CC-2/07-212)
MOTION: APPROVAL OF APPEAL

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				X
Edmonson		X		
Gimenez		X		
Heyman	M	X		
Jordan		X		
Martinez		X		
Rolle		X		
Seijas				X
Sorenson	S	X		
Sosa				X
Souto		X		
Vice Chairman Diaz		X		
Chairman Moss				X
TOTAL		9	0	4

ZONING ACTION

MEMORANDUM

Harvey Ruvin

**Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners**

(305) 375-5126

(305) 375-2484 FAX

www.miami-dadeclerk.com



DATE: 5/7/2009

#Z- 12-09

ITEM: 4

**APPLICANT: PRESIDENTIAL ESTATES HOMEOWNERS
ASSOCIATION, INC. & SAMUEL B. FELD**

(09-5-CC-3/07-213)

MOTION: APPROVAL OF APPEAL

ROLL CALL	M/S	YES	NO	ABSENT
Barreiro				X
Edmonson		X		
Gimenez		X		
Heyman	M	X		
Jordan		X		
Martinez		X		
Rolle		X		
Seijas				X
Sorenson	S	X		
Sosa				X
Souto		X		
Vice Chairman Diaz		X		
Chairman Moss				X
TOTAL		9	0	4



ZONING MEETING
Board of County Commissioners
May 7, 2009

Prepared by: Nelson Diaz

EXHIBITS LIST

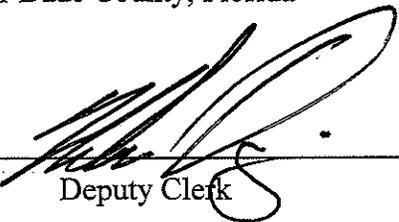
NO.	DATE	ITEM #	DESCRIPTION
1	5/7/2008	A-1	<u>MEADOW SHJOPPING CENTER L.L.C. (08-12-CC-4/08-149)</u> -Declaration of Restrictions for Charters School
2	5/7/2008	(2,3,4) A	<u>PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & IRVIN JOSEPH (09-5-CC-1/06-203)</u> <u>PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & SAMUEL B. FIELD (09-5-CC-2/07-212)</u> <u>PRESIDENTIAL ESTATES HOMEOWNERS ASSOCIATION, INC. & SAMUEL B. FIELD (09-5-CC-3/07-213)</u> - Large red binder containing maps, letters, and pictures, and other documents.
3	5/7/2008	(2,3,4) B	-Copy of Deposition of Miami Teresa Fojo from October 22, 2008
4	5/7/2008	(2,3,4) C	Letter to Mr. Marc LaFerrier –Director of Miami-Dade County Planning & Zoning Department Re: Presidential Estates Homeowners Association; Appeals Nos. 06-203, 07-212, and 07-213
5			
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12			
13			

The foregoing exhibits were submitted for the record on May 7, 2009 and transferred to the care, custody, and control of the Department of Planning & Zoning on May 8, 2009.

ATTEST:



HARVEY RUVIN, Clerk
Clerk of Circuit and County Courts
Miami-Dade County, Florida


Deputy Clerk

RECEIVED BY:


(SIGN)

Earl Jones
(PRINT)

5/8/09
(DATE)



MEMORANDUM
OFFICE OF CHAIRMAN DENNIS C. MOSS

MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS

Downtown Office
111 NW 1st Street, Suite 220
Miami, Florida 33128
(305) 375-4832 | Fax (305) 372-6011

District North Office
10710 SW 211th Street, Suite 206
Miami, Florida 33189
(305) 234-4938 | Fax (305) 232-2892

District South Office
1634 NW 6th Avenue
Florida City, Florida 33034
(305) 245-4420 | Fax (305) 245-5008

Date: May 7, 2009

To: The Honorable Vice-Chairman Jose "Pepe" Diaz and
Members of the Board of County Commissioners

From: The Honorable Chairman Dennis C. Moss
Miami-Dade County Board of County Commissioners, District 9

A handwritten signature in black ink, appearing to read "Dennis C. Moss".

Re: **Absence from Zoning Meeting May 7, 2009**

Please be advised that I will be unable to attend the Zoning meeting scheduled for Thursday, May 7, 2009, due to a death in my family. In my absence, Vice-Chairman Jose "Pepe" Diaz will preside over the meeting,

Thank you for your understanding in this matter.

Cc:

Honorable Carlos Alvarez, Mayor
Honorable Harvey Ruvlin, Clerk of the Courts
George M. Burgess, County Manager
Denis Morales, Chief of Staff
Robert A. Cuevas, County Attorney
Abigail Price-Williams, First Assistant County Attorney
Charles Anderson, Commission Auditor
Joe Rasco, Director, Office of Intergovernmental Affairs
Diane Collins, Acting Division Chief

DCM/cjb



Exhibit

MEMORANDUM
BRUNO A. BARREIRO
Board of County Commissioners
District 5

TO: Honorable Dennis Moss, Chairman and
Members of the Board of County Commissioners

FROM: Bruno A. Barreiro *Bruno Barreiro*

SUBJECT: Attendance at Zoning Meeting

DATE: May 05, 2009

Please be advised that I will be leaving today's Zoning Meeting at Noon.

C: Clerk of the Board

LAW OFFICES
SHUBIN & BASS

PROFESSIONAL ASSOCIATION

Via Hand Delivery

May 6, 2009

Mr. Marc LaFerrier
Director
Planning & Zoning Department
Miami-Dade County
111 N.W. 1st Street
11th Floor
Miami, Florida 33128

CLERK OF THE BOARD
2009 MAY -6 PM 2:04
BANK, CIRCUIT & COUNTY COURTS
DADE COUNTY, FLA.
#1

Re: Colonial Bank, N.A.; Appeal No. 08-74 (08-12-CZ12-3)/
Miami-Dade County Commission (Hearing Date May 7, 2009)

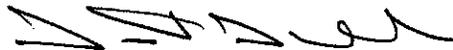
Dear Mr. LaFerrier:

This correspondence is transmitted to you on behalf of this firm's client, Dadeland North, Ltd. ("Dadeland North"), appellant in the above styled appeal currently set for hearing before the Miami-Dade County Board of County Commissioners for tomorrow, May 7, 2009.

We respectfully advise you that Dadeland North seeks to voluntarily dismiss this appeal, and accordingly, requests that the withdrawal of the appeal be acknowledged and accepted by the Commission. We have spoken to Colonial Bank's counsel, Jeffrey Bercow, who has no objection to the appeal being dismissed and withdrawn from the Board's consideration.

Please do not hesitate to contact me should you have any questions regarding this correspondence.

Sincerely,



John K. Shubin, Esq.
For the firm

cc: Ms. Kay Sullivan
Eduardo Sanchez, Esq.
Jeffrey Bercow, Esq. (via facsimile only)
Dadeland North, Ltd. (via facsimile only)

FOR Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 5/8/09 BCC Mtg. Date: _____ Agenda Item#: _____

Subject: PRESIDENTIAL COUNTRY CLUB

Name: JOHN LINDSTROM

Address: 2616 SW BORN PAW TRAIL

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: PLUMBERS & PIPEFITTERS UNION
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5/7/19 BCC Mtg. Date: _____ Agenda Item#: A

Subject: Meadow View

Name: Lorenzo Alvarez

Address: 13942 SW 80 Street

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5/7/19 BCC Mtg. Date: _____ Agenda Item#: A

Subject: Meadow View

Name: Edga Brana

Address: 2802 SW 118 Ct 33175

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5/7/09 BCC Mtg. Date: _____ Agenda Item#: A

Subject: Meadow View

Name: Christina Cuadrado

Address: 3981 SW 122 Ct

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5/7/09 BCC Mtg. Date: _____ Agenda Item#: A

Subject: Meadow View

Name: Lina Cuadrado

Address: 3981 SW 122 Ct.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 05/07/09 BCC Mtg. Date: _____ Agenda Item#: A

Subject: Meadow View Shopping Center

Name: Elizabeth Ferrand

Address: 9342 SW 144th Place Miami, FL 33186

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5/7/19 BCC Mtg. Date: _____ Agenda Item#: A

Subject: Meadow View

Name: Annette Gonzalez

Address: 14341 SW 62 St.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 05/07/09 BCC Mtg. Date: _____ Agenda Item#: A

Subject: Meadowview Shopping Center

Name: Evelyn Guerra

Address: 15270 SW 154th Street Miami, FL 33187

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: May 7th 2009 BCC Mtg. Date: May 7th 2009 Agenda Item#: A

Subject: Meadow View Shopping Center

Name: Carlos Huembes

Address: 11889 SW 72nd Terrace

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 05/07/09 BCC Mtg. Date: _____ Agenda Item#: A

Subject: Meadowview Shopping Center

Name: Luis Montenegro

Address: 14353 SW 50th Street Miami, FL 33175

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

FOR Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 5/7/9 BCC Mtg. Date: _____ Agenda Item#: A

Subject: Meadow View

Name: Lourdes Rodriguez

Address: 7428 SW 140 Ct

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/7/09 BCC Mtg. Date _____ Agenda Item # _____

Subject: _____

Name: MIGUEL CARAZA

Address: 19281 NW 50 AVE MIAMI FL 33055

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No: _____

If yes, please list name: _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes : _____ No: _____

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/7/09 BCC Mtg. Date _____ Agenda Item # 2

Subject: RESIDENTIAL COMPLEX

Name: TOM DE SANTIS

Address: 3211 SOUTHERN RD POMPANO BEACH

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No: _____

If yes, please list name: UBC / _____ / _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No: X

INFORMATION

Not Speaking

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/7/2009 BCC Mtg. Date _____ Agenda Item # _____

Subject: Presidential Estates - For Appeal

Name: Roberto Elovic

Address: 19592 NE 15 Court N. Miami Beach FL 33179

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No: _____

If yes, please list name: _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes : _____ No: _____

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5-7-09 BCC Mtg. Date _____ Agenda Item # 2

Subject: Residential Complex

Name: ROBERT G ESCALANTE

Address: 520 N.E 38 STREET MIAMI FL 33137

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: UNION #2
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No: _____

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5-7-09 BCC Mtg. Date _____ Agenda Item # _____

Subject: _____

Name: German Fonseca

Address: 295 West 79 Pl FL 33014

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: UNION 72

Organization	Firm	Client
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Have you registered with the Clerk of the Board? Yes: No:

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/7/09 BCC Mtg. Date _____ Agenda Item # 2

Subject: Presidential Estates

Name: MIGUEL A. FUENTES

Address: 295 W 79th Place Hialeah FL 33014

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No: _____

If yes, please list name: FLORIDA CARPENTERS Council,
Organization Firm Client

Have you registered with the Clerk of the Board? Yes : _____ No: _____

INFORMATION

Not speaking

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date _____ BCC Mtg. Date _____ Agenda Item # _____

Subject: Presidential Estates - For Appeal.

Name: PAUL HARITOH

Address: 1651 DIPLOMAT DR 33179

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No: X

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No: X

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/7/2019 BCC Mtg. Date _____ Agenda Item # (2) Presidential condos

Subject: go forward

Name: Mark Joy

Address: 9421. caribbean Blvd. cutter Bay 33189

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: United Brotherhood of Carpenters
Organization of carpenters Firm _____ Client _____

Have you registered with the Clerk of the Board? Yes: No:

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

NOT SPEAKING

Today's Date May 7/09 BCC Mtg. Date _____ Agenda Item # _____

Subject: Presidential Estates - For Appeal

Name: Carlos Kovalsky

Address: 1645 Diplomat Dr - Presidential Estates, North Miami Beach FL

33177

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No: X

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes : _____ No: _____

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5-7-09 BCC Mtg. Date _____ Agenda Item # 2

Subject: Presidential Complex

Name: ENRIQUE MARTINEZ

Address: 295 West 79th place FL 33014

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: UNION 721

Organization	Firm	Client
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Have you registered with the Clerk of the Board? Yes: No:

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date _____ BCC Mtg. Date _____ Agenda Item # 2

Subject: Presidential Complex

Name: MARCELA Mendez

Address: 7530 NE 5 Ave miami FLA 33138

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: UNION 72, Marcela Mendez

Organization	Firm	Client
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Have you registered with the Clerk of the Board? Yes: No:

INFORMATION

NOT SPEAKING

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/7/09 BCC Mtg. Date _____ Agenda Item # _____

Subject: Presidential Estates - For Appeal

Name: Leo Percher

Address: 1640 D. MONAT DRIVE, NNB, FL 33179

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No: _____

If yes, please list name: _____
Organization Firm Client

Have your registered with the Clerk of the Board? Yes : _____ No: _____

FOR Speaker's Card *(For Appearance Before the Board of County Commission)*

Today's Date: 5/7/09 BCC Mtg. Date: _____ Agenda Item#: _____

Subject: Presidential

Name: Bill Riley

Address: 1657 N.W. 17 AVE

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5-7-09 BCC Mtg. Date _____ Agenda Item # 2

Subject: Presidential Complex

Name: Walter A. Rutz

Address: 295 W 79th Place, FL 33014

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Union # 72-1

Organization	Firm	Client
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Have you registered with the Clerk of the Board? Yes: No:

INFORMATION

Not Speaking

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 05/07/09 BCC Mtg. Date _____ Agenda Item # _____

Subject: PRESIDENTIAL ESTATES - FOR APPEAL

Name: JACOB SAFDOYR

Address: 19447 NE 17th Avenue, N. Miami, FL 33175

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No: _____

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No: _____

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5-7-09 BCC Mtg. Date _____ Agenda Item # 2

Subject: Presidential Complmt

Name: ARMANDO SANTIAGO

Address: 105 NW 126 ST MIAMI FL 33168

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Union 92, Adm Def, 990

Organization	Firm	Client
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Have you registered with the Clerk of the Board? Yes: No:

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

NOT SPEAKING

Today's Date MAY 7 / 09 BCC Mtg. Date _____ Agenda Item # 2-3-4

Subject: Presidential Estates - For Appeal

Name: MARTIN SELDNER PRESIDENTIAL HOME OWNER

Address: 19535 NE 17 AVE

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No:

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No:

INFORMATION

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date: 5/7/2009 BCC Mtg. Date _____ Agenda Item # PRES. COMPAS (2)

Subject: MOVE FORWARD

Name: CLIFFORD WILLIAMS JR

Address: 681 SE 2ND STREET HOMESTEAD FL 33030

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No: _____

If yes, please list name: CARPENTERS, LOCAL 72

Organization	Firm	Client
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Have you registered with the Clerk of the Board? Yes: _____ No: _____

AGAINST

(R) X

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/7 BCC Mtg. Date _____ Agenda Item # 2/3/4

Subject: PRESIDENTIAL

Name: PAUL BARNETT

Address: 1668 DIPLOMAT DR

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No: X

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No: _____

AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 5/7/09 BCC Mtg. Date: _____ Agenda Item#: 2, 3, 4

Subject: Presidential Estates

Name: Lynn, Robit Elovic

Address: 19592 Diplomat Dr, Miami, FL 33179

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 5-7-04 BCC Mtg. Date: _____ Agenda Item#: 05-52-42

Subject: Presidential Estates

Name: Jeffrey Frantz

Address: 19431 Ambassador of Miami FL 33179

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español Èske w bezwen yon Entèprèt? Creole/Kreyol

AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 5/7/09 BCC Mtg. Date: _____ Agenda Item#: _____

Subject: The Presidential

Name: Susan FRIED

Address: 1875 NE 194 Ter.

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

Necesita un intérprete? Spanish/Español Èske w bezwen yon Entèprèt? Creole/Kreyol

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/7 BCC Mtg. Date 5/7 Agenda Item # Item 2,3,4

Subject: Presidential Estates

Name: Stephen Hoffman

Address: 2525 Ponce de Leon Blvd.

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: Presidential Estate HOA

Organization

Firm

Client

Have you registered with the Clerk of the Board? Yes: No:

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/7/09 BCC Mtg. Date 5/7/09 Agenda Item # 2,3+4

Subject: Presidential Estates HOA

Name: JEFFREY M. LEVINE

Address: 1627 DIPLOMAT DRIVE, MIAMI, FL 33179

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No:

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No: _____

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date May 7, 2009 BCC Mtg. Date _____ Agenda Item # _____

Subject: Presidential Estates

Name: Fanny Feldenkreis Hanono

Address: 1452 Presidential Way, N. M. Beach, FL 33179

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No:

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No: _____

AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: _____ BCC Mtg. Date: _____ Agenda Item#: _____

Subject: PRESIDENTIAL ESTATES

Name: JACOBO SARDUYE

Address: 19447 NE 17th Avenue N. Miami Beach FL 33195

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol

AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 5-7-09 BCC Mtg. Date: _____ Agenda Item#: 2-4

Subject: Residential Estates

Name: Steve Silverman

Address: 10435 NE 17 Ave / Residential Way

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter? No

¿Necesita un intérprete? Spanish/Español Éske w bezwen yon Entèprèt? Creole/Kreyol

AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 5/7 BCC Mtg. Date: _____ Agenda Item#: _____

Subject: _____

Name: SCOTT TEMARES

Address: 1657 DIPLOMAT DRIVE, NMB, 33179

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

Necesita un intérprete? Spanish/Español Eske w bezwen yon Entèprèt? Creole/Kreyol

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/7/09 BCC Mtg. Date _____ Agenda Item # 2, 3, 4

Subject: PRESIDENTIAL ESTATES

Name: BOB WEISBLUM

Address: 1800 N.E. 196 TERRACE

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: _____ No:

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: _____ No:

AGAINST

Speaker's Card

(For Appearance Before the Board of County Commission)

Today's Date 5/9/09 BCC Mtg. Date 5/7/09 Agenda Item # 2, 3 + 4

Subject: PRESIDENTIAL ESTATES

Name: Gayle Yagman

Address: 1700 NE 19TH TERRACE NMPB,

Lobbyist Information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all persons, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes: No:

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes: No:

AGAINST Speaker's Card (For Appearance Before the Board of County Commission)

Today's Date: 8/7/09 BCC Mtg. Date: _____ Agenda Item#: Possible Eth

Subject: Rever Revert to Administration Site Map Approval

Name: Alan D Sackorn

Address: 19402 Diplomat Dr

Lobbyist information: (According to Section 2-11(s) of the Code of Metropolitan Dade County, Florida, a lobbyist is defined as, "all person, firms or corporations employed or retained by a principle who seeks to encourage the passage, defeat, or modifications of an ordinance, resolution, action, or decision of the County Commission.")

Are you representing any person, group, or organization? Yes No

If yes, please list name: _____
Organization Firm Client

Have you registered with the Clerk of the Board? Yes No

Do you require an interpreter?

¿Necesita un intérprete? Spanish/Español *Èske w bezwen yon Entèprèt?* Creole/Kreyol