

MINUTES

LOCAL PLANNING AGENCY  
KEY BISCAIYNE, FLORIDA

TUESDAY, JANUARY 26, 2010

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Chairman at 7:00 p.m. Present were Councilmembers Michael Davey, Robert Gusman, Michael E. Kelly, Jorge E. Mendia, Vice Mayor Enrique Garcia and Chairman Robert L. Vernon. Also present were Village Manager Genaro "Chip" Iglesias, Village Clerk Conchita H. Alvarez and Village Attorneys Stephen J. Helfman and Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Vernon led the Pledge of Allegiance.
3. **APPROVAL OF MINUTES:** Vice Mayor Garcia made a motion to approve the minutes of the June 23, 2009 Local Planning Agency Meeting. The motion was seconded by Councilmember Davey and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Vice Mayor Garcia and Chairman Vernon voting Yes.
4. **ORDINANCES:** A public hearing and recommendation of the Village Council sitting as the Local Planning Agency on the following proposed ordinance:

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AMENDING THE VILLAGE COMPREHENSIVE PLAN BY ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) BASED COMPREHENSIVE PLAN AMENDMENTS;**

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**AMENDING THE FUTURE LAND USE ELEMENT; AMENDING THE TRANSPORTATION ELEMENT; AMENDING THE HOUSING ELEMENT; AMENDING THE INFRASTRUCTURE ELEMENT; AMENDING THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT; AMENDING THE RECREATION AND OPEN SPACE ELEMENT; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT; AMENDING THE FUTURE LAND USE MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

The Clerk announced that a courtesy informational statement from DCA regarding plan amendments notice of intent will be sent to all residents that have signed up to speak on this item.

The Attorney addressed the Council regarding the process to amend the Village Comprehensive Plan by adopting the Evaluation and Appraisal Report based Comprehensive Plan Amendments.

Councilmember Davey made a motion to recommend to the Council the adoption of the ordinance amending the Master Plan. The motion was seconded by Councilmember Kelly.

Mayor Vernon made a motion to maintain the concurrency standard of 2.5 acres per 1000 residents and to continue to go forward in acquiring land in order to meet that goal. The motion was seconded by Councilmember Mendia and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Vice Mayor Garcia and Chairman Vernon voting Yes.

Councilmember Kelly made an amendment to the Vernon motion to remove counting the beach in order to meet the current concurrency deficiency. The motion was seconded by Councilmember Davey and approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Vice Mayor Garcia and Chairman Vernon voting Yes.

Building Zoning and Planning Director Jud Kurlancheek addressed the Council regarding the proposed zoning district changes.

The Chairman opened the public hearing. Arturo Aballi, 91 Island Drive; Max Puyanic, 480 S. Mashta Drive; John Hendrick, 200 Ocean Lane Drive; Betty Sime Conroy, 785 Crandon Boulevard; Michael Kahn, 881 Ocean Drive; Pat Woodson, 940 Mariner Drive; Bob Libby, 200 Ocean Lane Drive; Conchita Suarez, 201 Crandon Boulevard; Julio Padilla, 325 Atlantic Road; Mary Jo Pinedo, 365 Atlantic Road; Diana Garmendia, 881 Ocean Drive; Frank Caplan, 370 Palmwood; Patricia Romano, 361 Beechwood Drive; Cecile Sanchez, 240 Cypress Drive; Stephen Olmore, 750 Fernwood Road; Camille Guething, 260 Seaview Drive; Michele Estevez, 798 Crandon Boulevard; Rafael Rojas, 971 Crandon Boulevard, Unit 16 addressed the Council. The Chairman closed the public hearing.

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It was the consensus of Council to keep under **Objective 1.3 Public Recreation Facilities. Policy 1.3.5**, but changing the date to no later than December 31, 2012.

It was also the consensus of Council to keep under **Objective 1.4 Policies 1.41 and 1.42**, but changing the language to reflect “continue to maintain”.

Mayor Vernon made a motion to table the Future Land Use Designation amendments A through G to the February 9, 2010 Local Planning Agency Meeting. The motion was seconded by Councilmember Thornton and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Vice Mayor Garcia and Chairman Vernon voting Yes.

The motion to recommend to the Council the adoption of the ordinance amending the Master Plan was tabled to the February 9, 2010 Local Planning Agency Meeting.

A public hearing and recommendation of the Village Council sitting as the Local Planning Agency on the following proposed ordinance:

**AN ORDINANCE OF THE VILLAGE OF KEY BISCAIYNE, FLORIDA, AMENDING CHAPTER 26, ARTICLE II “GOLF CARTS” OF THE VILLAGE CODE OF ORDINANCES RELATING TO GOLF CART USE WITHIN THE VILLAGE; AMENDING SECTION 30-184 “AMOUNT OF REQUIRED OFF-STREET PARKING” RELATING TO GOLF CART PARKING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

Councilmember Davey made a motion to recommend to the Council the adoption of the ordinance, as it is consistent with the Master Plan. The motion was seconded by Councilmember Kelly.

The Chairman opened the public hearing. There were no speakers present. The Chairman closed the public hearing.

The motion to recommend to the Council the adoption of the ordinance as it is consistent with the Master Plan, was approved by a 7-0 roll call vote. The vote was as follows: Councilmembers Davey, Gusman, Kelly, Mendia, Vice Mayor Garcia and Chairman Vernon voting Yes.

5. **ADJOURNMENT:** The meeting was adjourned at 9: 45 p.m.

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*Respectfully submitted:*

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*Conchita H. Alvarez, MMC  
Village Clerk*

*Approved this \_\_\_ day of \_\_\_, 2010:*

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*Robert L. Vernon  
Chairman*

***IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.***