

MINUTES

ZONING MEETING
KEY BISCAVNE, FLORIDA

TUESDAY, JANUARY 25, 2005

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:23 p.m. Present were Councilmembers Enrique Garcia, Steve Liedman, Jorge E. Mendia, Thomas Thornton, Patricia Weinman, Vice Mayor Robert L. Vernon and Mayor Robert Oldakowski. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorney Stephen P. Helfman.
2. **PLEDGE OF ALLEGIANCE:** John Festa led the Pledge of Allegiance.
3. **AGENDA:** The Manager requested the deferral of Items 7A and 7B. There was no objection to the agenda changes.

Councilmember Liedman requested the deferral of Item 5B to the February 8, 2005 Council Meeting.

John Shubin, Attorney with Shubin and Bass representing the applicant, GB/JT Hotel Partners, L.P. addressed the Council regarding the deferral of Item 5B.

Councilmember Liedman made a motion to defer this item to the February 8, 2005 Council Meeting. The motion was seconded by Councilmember Thornton and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

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4. **APPROVAL OF MINUTES:** Councilmember Mendia made a motion to approve the minutes of the January 11, 2005 Regular Council Meeting. The motion was seconded by Councilmember Liedman and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

Vice Mayor Vernon made a motion to approve the minutes of the January 11, 2005 Noise Ordinance Review Workshop. The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

5. **BUILDING, ZONING AND PLANNING:** All witnesses giving testimony in the public hearing were sworn in by the Clerk.

Hearing Number Sign-03. Acolite and Claude United sign Company, Inc., 30 West Mashta Drive, the applicant is requesting the approval of a 10 sq. ft. (2 ft. x 5 ft.) Monument sign with copy reading "Commodore Realty" and "Navigating the World of Real Estate".

Jud Kurlancheek, Director of Building, Zoning and Planning addressed the Council stating his recommendation to deny the request based on the zoning regulations which do not permit signs on office buildings which are located in the Office Zoning Districts.

Max Puyanic, 480 South Mashta Drive, representing Commodore Realty and Danny Ramirez with Acolite Sign Company, Inc. addressed the Council.

The Mayor opened the public hearing. Michele Estevez-Hayes, 798 Crandon Boulevard; Carol Natlan, 80 West Mashta; Jim Natlan, 80 West Mashta; Ed Meyer, 100 Sunrise Drive and Mortimer Fried, 291 Harbor Court addressed the Council. The Mayor closed the public hearing.

Councilmember Mendia made a motion to approve the request. The motion was seconded by Councilmember Liedman. Councilmember Mendia withdrew his motion.

It was the consensus of Council to direct staff to bring before Council a proposed amendment to the sign ordinance to permit signs on office buildings.

Councilmember Mendia made a motion to approve the request. The motion was seconded by Councilmember Liedman and failed by a 0-7 roll call vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting No.

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6. **ORDINANCES:** The Clerk read the following ordinance on first reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE VILLAGE FOR THE PROPERTY LOCATED AT 101 HARBOR DRIVE FROM VR (VILLAGE RESIDENTIAL) TO I (INSTITUTIONAL); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE.

The applicant is requesting a continuance of their petition for a change in zoning district from Single Family to Institutional to the February 22, 2005 Zoning Meeting.

Councilmember Mendia made a motion to continue the hearing to the February 22, 2005 Zoning Meeting. The motion was seconded by Councilmember Garcia and approved by a 7-0 voice vote. The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Mayor Oldakowski voting Yes.

7. **RESOLUTIONS:** The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AUTHORIZING THE VILLAGE MANAGER TO APPROVE A WORK AUTHORIZATION WITH POST BUCKLEY SCHUH AND JERNIGAN, INC. ("PBSJ"), PROVIDING FOR PBSJ TO RESURVEY SEWER PROJECT AREA, ADJUST PREVIOUS DESIGN OF PROPOSED SANITARY SEWER IMPROVEMENTS, PREPARE DESIGN FOR WATER LINE IMPROVEMENTS, AND PREPARE COST ESTIMATE FOR POTENTIAL WATER AND SEWER IMPROVEMENT PROJECT OF THE VILLAGE; PROVIDING FOR IMPLEMENTATION OF ENGINEERING WORK AUTHORIZED BY THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

The Manager and Armando Nunez, Public Works Director addressed the Council regarding this resolution.

Vice Mayor Vernon made a motion to approve the resolution. The motion was seconded by Councilmember Thornton. Vice Mayor Vernon withdrew his motion.

It was the consensus of Council to defer this resolution to the February 8, 2005 Regular Council Meeting.

8. **REPORTS AND RECOMMENDATIONS:** The following items were discussed:

Mayor and Councilmembers. Councilmember Weinman requested to place the appointment for the vacancy in the Community Center Advisory Board on the February 8, 2005 Regular Council Meeting Agenda. There was no objection to the request.

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Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk submitted to the Council a copy of the following proclamation issued by the Office of the Mayor during the month of January 2005: Winn Dixie Stores, Inc., Key Biscayne.

Village Manager. Director Kurlancheek addressed the Council regarding a recommendation by the Crandon Boulevard Zoning and Development Committee that Zoning in Progress be placed on properties in the C-1 Light Intensity Commercial District along Crandon Boulevard and Harbor Drive.

It was the consensus of Council to accept the recommendation.

9. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.
10. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.
11. **ADJOURNMENT:** The meeting was adjourned at 8:50 p.m.

Respectfully submitted:

Conchita H. Alvarez, CMC
Village Clerk

Approved this 8th day of February, 2005:

Robert Oldakowski
Mayor

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.