

MINUTES

LOCAL PLANNING AGENCY
VILLAGE OF KEY BISCAYNE, FLORIDA

TUESDAY, APRIL 25, 2006

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 Enrique Garcia, Steve Liedman, Jorge E. Mendia, Thomas Thornton, Patricia Weinman, Vice Mayor Robert L. Vernon and Chairman Robert Oldakowski. Also present were Village Manager Jacqueline R. Menendez, Village Clerk Conchita H. Alvarez and Village Attorney Stephen P. Helfman.

Ms. Michele Yehle led the Pledge of Allegiance.

2. **APPROVAL OF MINUTES:** Councilmember Garcia made a motion to approve the minutes of the November 8, 2005 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 Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Chairman Oldakowski voting Yes.

3. **RESOLUTION:** A public hearing of the Local Planning Agency to consider adoption of the following proposed resolution:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, SITTING IN ITS CAPACITY AS THE LOCAL PLANNING AGENCY, RECOMMENDING THE APPROVAL AND ADOPTION OF THE EVALUATION AND APPRAISAL REPORT FOR THE VILLAGE OF KEY BISCAYNE MASTER PLAN; PROVIDING FOR EFFECTIVE DATE.

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Councilmember Mendia made a motion to adopt the resolution. The motion was seconded by Councilmember Liedman.

Jud Kurlancheek, Building, Zoning and Planning Director addressed the Council recommending approval of the Evaluation and Appraisal Report (EAR) of the Master Plan. The Local Government Comprehensive Planning Act requires each municipality to complete an EAR Report of the Master Plan. The Village's Master Plan was approved in 1995. The EAR provides an opportunity for the Village to determine the progress that was made in meeting the goals and objectives set forth in the Master Plan and make recommendations to amend the Master Plan.

The Mayor opened the public hearing. Michele Yehle, 398 Harbor Drive; Camille Guething, 260 Seaview Drive and Michael Kahn, 881 Ocean Drive addressed the Council. The Mayor closed the public hearing.

The resolution was adopted by a 7-0 voice vote. The vote was as follows: The vote was as follows: Councilmembers Garcia, Liedman, Mendia, Thornton, Weinman, Vice Mayor Vernon and Chairman Oldakowski 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 BISCAYNE, FLORIDA, AMENDING CHAPTER 30 ZONING OF THE CODE OF KEY BISCAYNE, FLORIDA, BY MODIFYING THE REQUIREMENTS FOR THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF PREMISES; SPECIFICALLY AMENDING SECTION 30-112, SUPPLEMENTAL USE REGULATIONS, PERTAINING TO ALCOHOLIC BEVERAGES IN ORDER TO PROVIDE MINIMUM DISTANCE REQUIREMENTS FOR ESTABLISHMENTS ENGAGED IN THE SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION OFF PREMISES AND ESTABLISHING MINIMUM CRITERIA FOR SUCH ESTABLISHMENTS BASED ON FLOOR AREA AND DISTANCE BETWEEN SUCH ESTABLISHMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

The Attorney addressed the Council regarding this ordinance.

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Director Kurlancheek addressed the Council recommending that the Local Planning Agency and the Village Council approve this ordinance which amends the alcoholic beverage regulations.

Lucia Dougherty with Greenberg Trurig, Miami representing Key Biscayne Wine Group addressed the Council.

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

Councilmember Liedman made a motion finding the ordinance consistent with the Master Plan. The motion was seconded by Councilmember Weinman 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.

Councilmember Liedman made a motion recommending to consider the adoption of this ordinance to the Village Council. 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 Chairman Oldakowski voting Yes.

5. **ADJOURNMENT:** The meeting was adjourned at 7:35 p.m.

Respectfully submitted:

*Conchita H. Alvarez, CMC
Village Clerk*

Approved this 23rd day of May, 2006:

*Robert Oldakowski
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.