

MINUTES

SPECIAL COUNCIL MEETING  
KEY BISCAAYNE, FLORIDA

THURSDAY, AUGUST 18, 2011

COUNCIL CHAMBER  
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order at 6:00 p.m. Present were Councilmembers Michael W. Davey, Robert Gusman, Mayra P. Lindsay (arrived at 6:10 p.m.), James S. Taintor, Vice Mayor Michael E. Kelly and Mayor Franklin H. Caplan. Councilmember Enrique Garcia was absent. Also present were Village Manager Genaro “Chip” Iglesias and Village Attorney Stephen J. Helfman.
2. **PLEDGE OF ALLEGIANCE:** Mayor Caplan led the Pledge of Allegiance.
3. **APPROVAL OF MINUTES:** Councilmember Davey made a motion to approve the minutes of the July 5, 2011 Regular Council Meeting, the minutes of the July 14, 2011 Special Council Meeting and the minutes of the July 22, 2011 Special Council Meeting. The motion was seconded by Vice Mayor Kelly and approved by a 6-0 voice vote. The vote was as follows: Councilmembers Davey, Gusman, Lindsay, Taintor, Vice Mayor Kelly and Mayor Caplan voting Yes.
4. **BUILDING, ZONING AND PLANNING:** Hearing Number. SP 19, RV 32, V 1: The applicant, Consultatio Key Biscayne, LLC, 350 Ocean Drive, is requesting the following: 1.) Approval of a site plan for 154 multifamily units; 2.) Approval of the following variances: a.

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North side setback- approval of a variance to permit a North side setback of 79 degrees where 63 degrees is required for floors 7 through 15; b. South side setback approval of a variance to permit a South side setback of 79 degrees where 63 degrees is required for floors 7 through 15; c. Maximum floor area for rooftop structures approval of a variance to permit rooftop structures to have a floor area of 38% where 10% is required; and 3.) Approval of a vacation of 57.5 feet of the Ocean Drive right-of-way.

Councilmember Davey made a motion to defer this item to Monday, August 22, 2011 at 6:00 p.m. The motion was seconded by Vice Mayor Kelly.

The Mayor opened the public hearing. John Shubin, Attorney with Shubin Bass, representing the applicant, addressed the Council. The Mayor closed the public hearing.

The motion was approved by a 6-0 voice. The vote was as follows: Councilmembers Davey, Gusman, Taintor, Lindsay, Vice Mayor Kelly and Mayor Caplan voting Yes.

5. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

6. **ADJOURNMENT:** The meeting was adjourned at 6:15 p.m.

*Respectfully submitted:*

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*Conchita H. Alvarez, MMC  
Village Clerk*

*Approved this 10th day of January, 2012:*

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*Franklin H. Caplan  
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.**