

**CITY OF MIAMI GARDENS
REGULAR ZONING MINUTES
SEPTEMBER 6, 2006**

1. CALL TO ORDER/ROLL CALL OF MEMBERS:

The City Council sitting as the Zoning Board for the City of Miami Gardens, met in regular session on Wednesday, September 6, 2006, beginning at 7:15 p.m., in the City Council Chambers, 1515 NW 167th Street, Building 5, Suite 200, Miami Gardens, Florida.

The following members of the City Council were present: Mayor Shirley Gibson, and Council members Aaron Campbell Jr., Melvin L. Bratton, and Ulysses Harvard. Councilwoman Sharon Pritchett arrived at 7:48 p.m. Vice Mayor Oscar Braynon II and Councilwoman Barbara Watson was out of town attending the National Black Caucus Convention in Washington, D.C.

2. INVOCATION:

Mayor Gibson delivered the Invocation.

3. PLEDGE OF ALLEGIANCE:

Recited in unison.

4. APPROVAL OF MINUTES:

4A. Zoning Meeting – July 5, 2006

Motion offered by Councilman Campbell, seconded by Councilman Bratton to approve minutes with necessary corrections if any. This motion passed and carried by a 4-0 vote.

**5. AGENDA ORDER OF BUSINESS
(ADDITIONS/DELETIONS/AMENDMENTS)**

Attorney Robert Holland, representing the applicant Redound Corporation (Item 7A), appeared before the Council to asked for a deferral of this item until the November 1, 2006, Zoning Agenda.

The following item was added to the official agenda as Item 10A: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACCEPTING THE RECOMMENDATIONS OF THE PALMETTO CORRIDOR STUDY REPORT, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE."

Motion offered by Councilman Harvard, seconded by Councilman Bratton to approve the Official Agenda with the above referenced additions and deletions. This motion passed and carried by a 4-0 vote.

Robert Coleman, Zoning Administrator read into the record the procedure outlining this Quasi Judicial process.

Clerk Taylor swore in all parties participating in this Quasi-Judicial Proceeding.

6. CONSENT AGENDA

RESOLUTION NO. 2006-90-436

- 6A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR "EMERALD PLACE"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2006-91-437

- 6B) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING A TENTATIVE PLAT FOR "SPENCER'S COVE"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

RESOLUTION NO. 2006-92-438

- 6C) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACCEPTING A GRANT FROM THE STATE OF FLORIDA DIVISION OF HISTORICAL RESOURCES, FOR THE CITY-WIDE MIAMI MODERN ARCHITECTURE SURVEY & PLANNING PROJECT; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST RESPECTIVELY, THAT CERTAIN GRANT AWARD AGREEMENT AND ADDENDUM AND ANY ATTENDANT DOCUMENTS, COPIES OF WHICH ARE ATTACHED HERETO; PROVIDING FOR A MATCH OF FUNDS; PROVIDING FOR DIRECTIONS TO THE CITY CLERK; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.(SPONSORED BY THE CITY MANAGER)

Motion offered by Councilman Campbell, seconded by Councilman Harvard to approve the Consent Agenda. This motion passed and carried by a 4-0 vote.

Councilman Bratton:	Yes
Vice Mayor Braynon:	Out of town
Councilman Campbell:	Yes
Councilman Harvard:	Yes
Councilwoman Pritchett:	Not present
Councilwoman Watson:	Out of town

Mayor Gibson: Yes

7. FIRST READING (ORDINANCE)/PUBLIC HEARING(S):

- 7A) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING AN APPLICATION SUBMITTED BY REDOUND CORPORATION, FOR A REZONING OF PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF N.W. 47TH AVENUE AND N.W. 156TH STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO, FROM IU-C, CONDITIONAL INDUSTRIAL DISTRICT, TO RU-4L, LIMITED APARTMENT HOUSE DISTRICT; PROVIDING FOR A DECLARATION OF RESTRICTIVE COVENANTS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.**

Motion offered by Councilman Harvard, seconded by Councilman Bratton to defer this item to the November 1, 2006, Zoning Meeting, as per the request of the applicant's Attorney. This motion passed and carried by a 4-0 vote.

Vice Mayor Braynon:	Out of town
Councilman Campbell:	Yes
Councilman Harvard:	Yes
Councilwoman Pritchett:	Not present
Councilwoman Watson:	Out of town
Councilman Bratton:	Yes
Mayor Gibson:	Yes

8. ORDINANCE(S) SECOND READING/PUBLIC HEARING(S)

There were none.

9. RESOLUTION(S)/PUBLIC HEARING(S)

RESOLUTION NO. 2006-93-439-Z-55

- 9A) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE APPLICATION OF BERTHA WHITE FOR NON-USE VARIANCES OF LOT COVERAGE AND SET-BACK REQUIREMENTS FOR AN EXISTING GARAGE AND STORAGE ROOM ADDITION TO A SINGLE-FAMILY RESIDENCE; APPROVING A NON-USE VARIANCE OF SETBACK REQUIREMENTS TO PERMIT A PROPOSED TWO-BEDROOM ADDITION TO A SINGLE-FAMILY RESIDENCE; APPROVING NON-USE VARIANCES OF SETBACK AND SPACING REQUIREMENTS FOR AN EXISTING UTILITY SHED; PROVIDING**

FOR CONDITIONS; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY MANAGER)

Ryan d. Bailine, an attorney with Shutts & Bowen LLP, 201 South Biscayne Boulevard, Miami, Florida, appeared before the Council representing the applicant Bertha White. He explained that his client had purchased a home with all of the modifications made to it. A notice of violation was issued several years prior by Miami-Dade County. The applicant requested a hearing and was told that this area had incorporated therefore Miami-Dade County no longer had jurisdiction over the matter. In a good faith effort to resolve this matter, the applicant came to the City of Miami Gardens Building Department seeking to resolve this issue. The applicant is requesting non-use variances of lot coverage to permit an existing garage, existing family room and an existing storage room. His client is seeking the Council's approval to allow what currently exists on the property to remain.

Mayor Gibson opened the floor for this public hearing. After there were no interested parties to speak on this item the public hearing was closed.

Motion offered by Councilman Campbell, seconded by Councilman Bratton to approve this item.

Mayor Gibson asked how long has the applicant lived at this location.

Attorney Bailine stated the applicant and her husband purchased the property and has lived there since 1975. The applicant made every effort to find building permits for the additions through the Miami-Dade Building Department but unfortunately nothing was found.

Mayor Gibson said staff has indicated the applicant has to get the proper permits (electrical, plumbing, etc.). She asked what would happen if it is discovered the plumbing was not properly done.

Mr. Coleman said the applicant is asking for variances for the illegal structures that were added to the main structure. The applicant has to go through the building and permitting process (electrical, mechanical, plumbing and structural engineering analysis) to determine if all are in compliance with the South Florida Building Code.

Councilman Bratton referenced staff's recommendations for approval of this application subject to the conditions that the Applicant secure all necessary building, plumbing and electrical permits within nine (9) months of approval, unless an extension is applied for and granted by the Development Services Director. He asked how would staff know if the conditions have been complied with.

Mr. Coleman said the applicant has nine (9) months to get this process through the Building Department.

There being no further discussion, the motion to approve this item passed and carried by a 4-0 vote.

Councilman Campbell:	Yes
Councilman Harvard:	Yes
Councilwoman Pritchett:	Not present
Councilwoman Watson:	Out of town
Councilman Bratton:	Yes
Vice Mayor Braynon:	Out of town
Mayor Gibson:	Yes

10. RESOLUTION(S)

RESOLUTION NO. 2006-94-440

10A) **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ACCEPTING THE RECOMMENDATIONS OF THE PALMETTO CORRIDOR STUDY REPORT, A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE (SPONSORED BY MAYOR GIBSON)**

Mayor Gibson recounted the Palmetto Expressway was a project taken on during her participation at the Florida Public Officials Design Institute at ABACOA, January 2006. The participants looked at the major entranceways onto the Palmetto Expressway Way (32nd, 37th, 42nd, and 47th Avenues), a study was conducted and subsequently this Corridor Study Report was done. The reason the Palmetto Expressway was chosen was because the other major thoroughfares (SR 7 and 27th Avenue Corridor) within this community have already been studied (e.g. more efficient design). This provides a great opportunity for the City to incorporate this corridor study into the City's Code and Zoning Regulations, establishing guidelines and standards for developers to adhere to when developing projects along this corridor. She further placed emphasis on preserving the City's history and the MIMO Architecture represented throughout the City.

Mayor Gibson asked for her colleagues' support in approving the Palmetto Corridor Report so that it can be incorporated into the City's Zoning Regulations and Codes. This provided another avenue for Miami Gardens to say "We have standards or design and development that we want to adhere to." This provides the criteria for the development of a premier City.

Councilman Campbell conveyed his support of this item. He asked whether there would be follow-up meetings, which would include the business community and property owners along this corridor.

Mayor Gibson shared when the team came down from ABACOA, they did speak with some of the business people along this corridor.

Jay Marder, Development Services Director stated as part of the MIMO/Historical Grant the City applied for, public meetings are required, which would tie in with this particular issue. This Palmetto Corridor Study is basically a great start providing great directions.

Councilman Campbell suggested officially naming the streets that run parallel to the Palmetto Expressway (167th Street).

Mayor Gibson asked staff to come back with suggestions on what to name the streets (167th) running east and west parallel to the Palmetto Expressway.

Councilman Harvard referenced the meetings that would be held with the property owners and local businesses along this corridor and asked how would these individuals be notified.

Mr. Marder said the same method used on SR 7 would be used to get the property owners and local businesses involved with the meetings.

Motion offered by Councilman Campbell, seconded by Councilman Bratton to approve this item.

There being no further discussion, this motion passed and carried by a 5-0 vote.

Councilman Harvard:	Yes
Councilwoman Pritchett:	Yes
Councilwoman Watson:	Out of town
Councilman Bratton:	Yes
Vice Mayor Braynon:	Out of town
Councilman Campbell:	Yes
Mayor Gibson:	Yes

11. DISCUSSION/INFORMATION:

1. Councilwoman Watson - Resolution No. 2005-61-238-Z-25 (Coconut Cay)

Councilwoman Pritchett questioned whether speed bumps would still be installed in this area if the roundabout is removed.

Manager Crew explained NW 207th Street will still get the roundabout, which is being provided by D.R. Horton. D.R. Horton had agreed to put in roundabout and has made expenditures to effectuate that process. However, the residents have decided they do not want roundabout on their streets and has submitted a petition with approximately 90 signatures stating that fact.

Motion offered by Councilman Harvard, seconded by Councilman Bratton to direct staff to move forward to process a request to modify Resolution No. 2005-61-238-Z-25, in order to delete the requirement of said roundabout.

There being no further discussion on this item, the motion passed and carried by a 5-0 voice vote.

2. GIS DAY Proclamation and GIS Day workshop for November 15, 2006 and Geography Awareness Week (Nov 13-19)

Bhairvi Pandya, Senior Planner appeared before the City Council to expound on this item. She explained GIS is the acronym for Geographical Information Systems. The National GIS Day for this year is November 15, 2006. Miami Gardens is the first city in Miami-Dade County to host this event. The primary reason for this event is to increase Geographical awareness for school age children, senior citizens and residents on how this occurrence impacts their every day life. Invitations will be sent out to all local public schools as well as local universities.

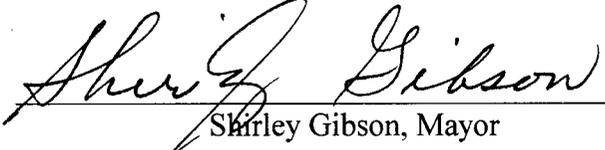
Councilwoman Pritchett asked if the Department Correction Public Schools located within the City would be invited.

Ms. Pandya said that the Department Correction Public Schools will be invited.

12. ADJOURNMENT:

After there was no further business to come before this Body and upon a motion being duly made by Councilman Bratton and seconded by Councilman Harvard, the meeting adjourned at 8:15 p.m.

Attest:


Shirley Gibson, Mayor


Ronetta Taylor, CMC, City Clerk