

# City of Miami

*City Hall  
3500 Pan American Drive  
Miami, FL 33133  
www.miamigov.com*



## Meeting Agenda

**Monday, June 23, 2014**

**6:30 PM**

**Miami City Hall**

### **Planning, Zoning and Appeals Board**

*Charles Garavaglia, Vice-Chair  
Maria Beatriz Gutierrez, Member  
Melody Torrens, Member  
Dr. Ernest Martin, Member  
Daniel Alexander Milian, Member  
Charles A. Gibson, Member  
Juvenal Pina, Member  
David Haris Young, Member  
Jennifer Ocana Barnes, Member  
Maria Lievano-Cruz, Member  
Chris Collins, Alternate Member*

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*Article 7 of Miami 21 Code, as amended, establishes that decisions of the Planning, Zoning and Appeals Board, whether acting on matters of appeal from the Zoning Administrator or Director of the Planning and Zoning Department or acting in their original jurisdiction on matters of Exceptions or Variances, are to be deemed final unless, within fifteen (15) days of the date of the Board decision, a request for review by the City Commission is made in the manner set out in this Article, Section 7.1.5.*

*Section 62-21, "Covenants/Agreements Proffered by Applicants" of the Miami City Code states, "The Planning, Zoning and Appeals Board is authorized to entertain voluntary covenants/agreements proffered by applicants. However, notwithstanding the foregoing, no applicant or applicant's representative seeking a recommendation for approval of a permit, zoning change, or approval of a future land use plan ("FLUM") amendment to the comprehensive plan shall be permitted to argue or represent to the Planning, Zoning and Appeals Board that the property which is the subject of the application will be put to a specific use or uses or to exclude a use or uses authorized by the proposed land use designation, unless the applicant has submitted a restrictive covenant committing to such representation which has been submitted to and approved by the Planning and Zoning Department and has received approval as to legal form by the office of the city attorney prior to consideration by Planning, Zoning and Appeals Board. The Planning, Zoning and Appeals Board may recommend approval of such covenant/agreement to the City Commission relative to its recommendation of the application. The applicant shall be bound to the terms of the covenant and shall record it in the public records after final acceptance by the city."*

*Should any person desire to appeal any decision of the Miami Planning, Zoning and Appeals Board with respect to any matter to be considered at this meeting, that person shall ensure that a verbatim record of the proceedings is made, including all testimony and evidence upon which any appeal may be based (F/S 286.0105).*

*Section 62-17, "Proceedings of Planning, Zoning and Appeals Board."*

*(a) Officers and voting. The planning, zoning and appeals board shall select a chairman and vice-chairman from among its members and may create and fill such other offices as it may determine. All members, or the alternate member sitting in the place of a member, shall be required to vote on matters before the planning, zoning and appeals board, subject to the provisions of subsections (g) and (h) and applicable state statutes. The planning and zoning director shall attend all meetings of the board. The hearing boards section of the planning and zoning department, or its successor, shall be the executive secretary of the planning, zoning and appeals board.*

*(b) Rules of procedure. The planning, zoning and appeals board shall establish rules of procedure necessary to its governing and the conduct of its affairs, in keeping with the applicable provisions of state law, and the City Charter, ordinances and resolutions. Such rules of procedure shall be available in written form to persons appearing before the board and to the public upon request. Quasi-judicial procedures as provided in the zoning ordinance and as required by state law shall apply to its decisions and recommendations, including rezoning; special area plans; exceptions; variances; and appeal decisions by the board.*

*(c) Meetings. The planning, zoning and appeals board shall hold at least two regularly scheduled meetings each month, except the month of August, on days to be determined by the board. Other regularly scheduled meetings may be set by the board, and additional meetings may be held at the call of the chairman and at such other times as the board may determine. Meetings that are not regularly scheduled shall not be held without at least ten days written notice to each member and the alternate member, provided that upon concurrence of the chairman of the planning, zoning and appeals board and the city manager, an emergency meeting may be called at any time and with appropriate notice.*

*(d) Quorum; public records. Quorum requirements are governed by the provisions of section 2-887 <[http://library.municode.com/HTML/10933/level4/PTIITHCO\\_CH2AD\\_ARTXIBOCOCO\\_DIV2STCRREBOGE.html](http://library.municode.com/HTML/10933/level4/PTIITHCO_CH2AD_ARTXIBOCOCO_DIV2STCRREBOGE.html)>. However, no action to recommend adoption of amendments to the city comprehensive plan, or to recommend the amendment of the text of the Miami 21 Code, rezoning, or special area plan, or to approve an exception shall be taken without the concurring votes of a supermajority of board members present. Said supermajority consists of one more member than a simple majority. The executive secretary of the planning, zoning and appeals board shall keep minutes of board proceedings, showing the vote of each member or alternate member, if sitting for a member, or if absent or failing to vote under subsections (e) and (f), indicating such fact. It shall be the responsibility of the executive secretary of the planning, zoning and appeals board to handle all procedural activities for all public hearings held by the board, including the preparation of minutes and official records of such hearings. The official records of such public hearings shall be filed with the city clerk.*

*(e) Status of alternate member. In the temporary absence or disability of a member, or in an instance where a member is otherwise disqualified to sit on a particular matter, the chairman of the planning, zoning and appeals board, or the vice-chairman in his absence, shall designate the alternate member to sit as a board member to obtain a full membership of 11 or, as nearly as possible, a full membership. When so acting, the alternate member shall have full rights of participation and voting as members; his vote shall be deemed that of a member in reaching a decision on a matter. In instances where the alternate member is not sitting as a member, he shall have the right to participate in board discussions and to ask questions, but he shall have no right to vote or make motions. Where the alternate member has been duly designated to sit as a member on a particular matter and consideration of that matter has begun, the alternate*

*member shall continue to sit as a board member through disposition of the matter; and he shall not be replaced, should the member who was absent or unable to participate later be present.*

*(f) Disqualification of members or alternate. If any member of the planning, zoning and appeals board or the alternate member called on to sit in a particular matter shall find that his private or personal interests are involved in the matter coming before the board, he shall, prior to the opening of the hearing on the matter, disqualify himself from all participation of whatsoever nature in the cause. Alternatively, he may be disqualified by the votes of not less than six members of the board, not including the member or alternate member about whom the question of disqualification has been raised. No member or alternate member of the planning, zoning and appeals board may appear before the city commission or planning, zoning and appeals board as agent or attorney for any other person.*

*(g) All city departments and employees shall, under the direction of city manager and upon request and within a reasonable time, furnish to the planning and zoning department such available records or information as may be required in the work of the planning, zoning and appeals board. The city manager shall assign a member of the public works department, planning and zoning department, neighborhood enhancement team, the code enforcement department and fire-rescue department, or their successors, to attend public hearings of the planning, zoning and appeals board and to advise the planning, zoning and appeals board when necessary, and to furnish information, reports and recommendations upon their request. The city attorney shall attend public hearings of the planning, zoning and appeals board to advise the board when necessary and to furnish information, reports and recommendations upon their request.*

*(h) The planning, zoning and appeals board or representative of the planning and zoning department may, in the performance of official duties, enter upon lands and make examinations or surveys in the same manner as other authorized city agents or employees and shall have other powers as are required for the performance of official functions in carrying out the purposes and responsibilities of the board.*

Lobbyist NOTE

*ANY PERSON WHO RECEIVES COMPENSATION, REMUNERATION OR EXPENSES FOR CONDUCTING LOBBYING ACTIVITIES IS REQUIRED TO REGISTER AS A LOBBYIST WITH THE CITY CLERK PRIOR TO ENGAGING IN LOBBYING ACTIVITIES BEFORE CITY STAFF, BOARDS, COMMITTEES, OR THE CITY COMMISSION. A COPY OF THE APPLICABLE ORDINANCE IS AVAILABLE AT THE OFFICE OF THE CITY CLERK (MIAMI CITY HALL), LOCATED AT 3500 PAN AMERICAN DRIVE, MIAMI, FLORIDA 33133.*

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF MINUTES**

**SWEARING IN OF PUBLIC**

**PZAB. AGENDA ITEMS (RESOLUTIONS)**

**PZAB.1**

**08-01015zt1**

A RESOLUTION OF THE MIAMI PLANNING, ZONING AND APPEALS BOARD RECOMMENDING APPROVAL TO THE MIAMI CITY COMMISSION TO AMEND ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, AS AMENDED, BY AMENDING APPENDIX D, TITLED SD-16.3 MIAMI WORLDCENTER TO MODIFY CERTAIN DESIGN STANDARDS; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

APPLICANT(S): Daniel J. Alfonso, City Manager, on behalf of the City of Miami

FINDINGS:

PLANNING DEPARTMENT: Recommends approval.

\*See companion File ID 08-01015zc1.

PURPOSE: This ordinance will amend Appendix D., the SD-16.3 "Miami Worldcenter" of the Zoning Ordinance to modify design and development standards for the district.

**Attachments:** 08-01015zt1 PZAB 06-23-14 Supporting Documents.pdf  
08-01015zt1 PZAB 06-23-14 Development Standards.pdf

PZAB.2  
08-01015zc1

A RESOLUTION OF THE MIAMI PLANNING, ZONING AND APPEALS BOARD RECOMMENDING APPROVAL TO THE MIAMI CITY COMMISSION TO AMEND ORDINANCE 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI BY AMENDING THE ZONING ATLAS TO EXPAND THE SD-16.3 "MIAMI WORLDCENTER" BOUNDARY ADDING THE PROPERTY GENERALLY BOUNDED BY NORTH MIAMI AVENUE ON THE EAST, NORTHWEST 8TH STREET ON THE NORTH, NORTHWEST 1ST AVENUE ON THE WEST, AND THE FLORIDA EAST COAST (FEC) RAILWAY ON THE SOUTH, MIAMI, FLORIDA; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

LOCATION: Property generally bounded by North Miami Avenue on the east, Northwest 8th Street on the north, Northwest 1st Avenue on the west, and the Florida East Coast (FEC) Railway on the south [Commissioner Marc David Sarnoff - District 2]

APPLICANT(S): Daniel J. Alfonso, City Manager, on behalf of the City of Miami

FINDING(S):

PLANNING AND ZONING DEPARTMENT: Recommended approval.

\*See companion File ID 08-01015zt1.

PURPOSE: This will amend the Zoning Atlas to expand the SD-16.3 "Miami Worldcenter" boundary.

**Attachments:** 08-01015zc1 PZAB 06-23-14 Supporting Documents.pdf