

COMMUNITY ZONING APPEALS BOARD - 5

AMERICAN HIGH SCHOOL - AUDITORIUM

18350 NW 67 AVENUE, HIALEAH

Thursday, DECEMBER 12, 2002 at 7:00 p.m.

APPLICANT:

GENET FAMILY LTD. PARTNERSHIPS NO. 1 & NO. 2

02-255

Members of the Community Zoning Appeals Board

Present:

Ms. Franklyn  
Mr. Juan A. Garcia  
Mr. Archie E. McKay, Jr.  
Mr. Paul O'Dell  
Mr. Perez  
Mr. Roberto P. Serrano  
Mr. Jorge I. Bonsenor, Chairperson

COUNTY ATTORNEY'S OFFICE

Kenneth Drucker, Assistant County Attorney

STAFF

Bob Coleman  
Thomas Spehar  
Terry Rolle

**METRO DADE COURT REPORTERS, INC.**

(305) 373-5600

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SPEAKERS & PAGE NUMBERS

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1 (Thereupon, all witnesses were first duly sworn.)

2 MR. COLEMAN: In accordance with  
3 the code of Miami-Dade County, all items to  
4 be heard today have been legally advertised  
5 in the newspaper, notices have been mailed  
6 and the properties have been posted.  
7 Additional copies of the agenda are  
8 available here at the meeting. Items will  
9 be called up to be heard by agenda numbers  
10 and name of the applicant. The record of  
11 the hearing on each application will include  
12 the records of the Department of Planning  
13 and Zoning. All these items are physically  
14 present here today available to all  
15 interested parties and available to the  
16 members of the Board who examine items from  
17 the record during the hearing.

18 The parties have the right of  
19 cross examination. In Miami-Dade County  
20 versus Omnipoint Holdings, Inc, case number  
21 3D01-2347, the Florida 3rd District Court of  
22 Appeal has held invalid all standards for  
23 non use variances, special exceptions,  
24 unusual uses, new uses requiring public  
25 hearing, and modifications of conditions and

1 covenants.

2           The County Attorney's Office is  
3 seeking review of the decision of the  
4 Florida Supreme Court, as well as the stay  
5 of the decision's effect. While the case is  
6 pending, the decision is in effect and  
7 binding on all parties. Its impact is to  
8 suspend considerations of zoning  
9 applications for most special exceptions,  
10 unusual uses, non use variances and  
11 modifications of conditions and covenants.

12           In the interim County Staff have  
13 developed and proposed to the Board certain  
14 ordinances that would provide interim  
15 standards for limited categories of  
16 applications. If these standards are  
17 enacted, certain applications may be able to  
18 proceed to hearing.

19           However, absent a reversal by the  
20 Courts or enacted of revised regulations,  
21 pending applications will not be able to  
22 proceed to hearing until the disposition of  
23 the pending litigation. Although pursuant  
24 to the Code of Miami-Dade County, all zoning  
25 regulations are part of the record of each

1 application. A copy of the newly adopted  
2 Alternative Site Development Option  
3 Ordinance has also been distributed to each  
4 Board Member with their zoning kit and will  
5 become part of the official record for each  
6 application.

7 This action is to ensure that  
8 every standard applicable to applications  
9 for Alternative Site Development Option  
10 approval is conveniently available for  
11 consideration and application by the Board  
12 pending codification of the standards.

13 This statement, along with the  
14 fact that all witnesses have been sworn,  
15 should be included in any transcripts of all  
16 or any part of these proceedings.

17 In addition, the following  
18 departments have representatives here at the  
19 meeting to address any questions: Public  
20 Works, Planning and Zoning and the County  
21 Attorney's Office. All exhibits used in  
22 presentation before the Board become part of  
23 the public record and will not be returned  
24 unless an identical letter size copy is  
25 submitted for the file.

1                   Any person making impertinent or  
2                   slanderous remarks or who becomes boisterous  
3                   while addressing the Community Zoning  
4                   Appeals Board shall be barred from further  
5                   audience before the Community Zoning Appeals  
6                   Board or by the presiding officer, unless  
7                   permission to continue or again address the  
8                   Board be granted by the majority vote of the  
9                   Board Members present.

10                   The number of filed protests and  
11                   waivers on each application will be read  
12                   into the record at the time of hearing as  
13                   each application is read. Those items not  
14                   heard prior to the meeting -- ending time  
15                   for this meeting will be deferred to the  
16                   next available zoning hearing meeting date  
17                   for this Board.

18                   CHAIRMAN BONSENOR: Thank you,  
19                   sir.

20                   Okay, when I call your item,  
21                   please step up to the podium and state your  
22                   name and address clearly for the record. I  
23                   will then proceed to call those of you in  
24                   support of the application and then I will  
25                   call for the objectors.

1                   Those of you here who wish to  
2 speak will state your name and address. For  
3 those of you speaking, I will ask that you  
4 make your presentation short and non  
5 repetitive as we are limited on time.

6 \* \* \* \* \*

7                   CHAIRMAN BONSENOR: Next item,  
8 please.

9                   MR. COLEMAN: Next item is current  
10 item 1, Genet Family Limited Partnerships  
11 No. 1 & No. 2. 02-1-CZ5-1. We have four  
12 filed protests and zero filed waivers.

13                   MR. ROLLE: Mr. Chair and Board,  
14 Staff needs to inform you. On this  
15 particular item, the recommendation that you  
16 have there says deny without prejudice;  
17 right?

18                   CHAIRMAN BONSENOR: That's  
19 correct.

20                   MR. ROLLE: Or deferral.  
21 Basically since that time the applicant  
22 has -- the plans are going to be reviewed by  
23 the ASPR process, which is the  
24 Administrative Site Review Plan. The zone  
25 change to RU-3M is required by code to be

1 reviewed under the ASRP process, which is  
2 the Administrative Site Plan Review, which  
3 they do inside. Staff then looks at all of  
4 the elements that -- that have to do with  
5 the site plan, landscaping, parking and all  
6 those other things. It's done on an  
7 administrative level inside the office.

8 So with that in mind and having  
9 been put -- the application has been put  
10 forth without a site plan, without plans, so  
11 Staff is now recommending approval  
12 subject -- subject to the Board's acceptance  
13 of the covenant. So they are limiting the  
14 density of the site with the covenant.

15 So Staff's recommendation is now  
16 approval subject to your acceptance of the  
17 covenant because there is no site plan and  
18 the site plan is to be approved through the  
19 administrative process.

20 MR. O'DELL: And the covenant is  
21 the site plan?

22 MR. ROLLE: The covenant is here  
23 and it has certain identity restrictions on  
24 the property. They state that the maximum  
25 number of dwelling units on the property

1 shall not exceed 141 dwelling units.

2 And number two says that ASPR,  
3 which is approval through the Administrative  
4 Site Plan Approval process, that the owner  
5 shall submit to the Miami-Dade County  
6 Department Planning and Zoning a separate  
7 application for ASPR approval of the site  
8 development plans for the property.

9 Furthermore, the owner shall  
10 submit an application for ASPR approval for  
11 any lake excavations on the proposed  
12 property.

13 Number three says that apartment  
14 rentals are prohibited, notwithstanding the  
15 RU-3M zoning classification of the property.  
16 The property shall be developed as a  
17 residential community under a fee simple or  
18 condominium form of ownership.

19 That's essentially what the  
20 covenant says. There are other elements  
21 that are -- number four actually says that  
22 two acre fire station/park site, that the  
23 owner shall set aside two gross acres -- two  
24 acre site within the property for  
25 construction of a fire station.

1                   In the event that Miami-Dade  
2 County elects not to accept the conveyance  
3 of a two acre site for future construction  
4 or operation of a fire station, the two acre  
5 site shall be conveyed to Miami-Dade County  
6 for the construction of a public park. I  
7 mean, it just goes on to sort of -- would  
8 you like me to read the whole paragraph?

9                   CHAIRMAN BONSENOR: Not  
10 necessarily.

11                  MR. ROLLE: Okay.

12                  CHAIRMAN BONSENOR: We'll be here  
13 all night.

14                  MR. ROLLE: Okay. So basically  
15 what we are just saying to you is that  
16 without a site plan attached to this  
17 application, our recommendation has changed  
18 because of the fact that the site plan can  
19 be reviewed under the ASPR process.

20                  CHAIRMAN BONSENOR: Okay. This  
21 includes Public Works and all that, I'm  
22 assuming?

23                  MR. ROLLE: Well, Public Works --  
24 since there are no plans, essentially that  
25 have been proffered or submitted, then

1 Public Works doesn't have any objections to  
2 it.

3 CHAIRMAN BONSENOR: All right.

4 MR. MAYOL: Mr. Chair, Members of  
5 the Board, for the record, Juan Mayol with  
6 the law firm of Akerman Senterfitt with  
7 address at One Southeast 3rd Avenue, joined  
8 by my colleague, Mr. Mike Freire. Also  
9 joined by Mr. Maury Caparros and Mauricio  
10 Callon, who are actually sitting in the back  
11 somewhere -- back there, who are the  
12 principals in Century Prestige, the contract  
13 purchaser for this property. And that  
14 information is provided to you in your kits  
15 as Exhibit C.

16 Mr. Rolle has issued a  
17 clarification of the Staff's recommendation,  
18 so now you know that they are in support of  
19 this application. The Public Works  
20 Department never had an objection to the  
21 application. Really the question was about  
22 the requirement to submit a site plan  
23 through the zoning process. The Code does  
24 not require the site plan at this time, but  
25 it does require site plan be submitted prior

1 to building permit through a process that is  
2 called Administrative Site Plan Review where  
3 Staff will review it and make sure that we  
4 have incorporated urban design, and that  
5 we've taken care of all the concerns. And  
6 that will be prior to a building permit.

7 The second thing that I want to  
8 clarify, and actually Mr. Rolle started to,  
9 by reading from our proposed Declaration of  
10 Restrictions, but I want to clarify, and I  
11 hope that everyone in the room will be able  
12 to hear me when I say that the proposal  
13 before you does not involve apartments, does  
14 not involve any type of low rent housing.  
15 There was a petition that was circulated  
16 through the neighborhoods. We got a copy of  
17 it from one of the neighbors in the area,  
18 and I'm not going to read the entire  
19 petition. I have given you each one a copy  
20 of it, but just briefly, it refers to low  
21 rent apartment housing, low rent apartments,  
22 and it says that the area will become slum  
23 housing.

24 Well, let me set your minds at  
25 ease. The proposal before you is for a town

1 home community, a fee simple town home  
2 community, no rentals. And our client,  
3 Century Prestige, estimates that the sales  
4 price -- the starting sales price for those  
5 town homes units will be \$175,000 and up.

6 The area lends itself for a higher  
7 value, and that is why we can commend  
8 \$175,000 and higher for these town home  
9 units.

10 That sketch that is right next to  
11 Mike is a prototype of the typical town home  
12 units that Century Home Builders is building  
13 in the Doral area. Those units sell for  
14 \$250,000 in the Doral area. They sell for  
15 \$200,000 at different communities that  
16 Century builds throughout Dade County. Here  
17 they expect that the same unit will start at  
18 \$175,000 and will quickly get in the \$200's  
19 with the options and upgrades.

20 So I hope that that is clear.  
21 It's not a rental community. And to make  
22 sure that it happens the way that I am  
23 telling you that it's going to happen, we  
24 have proffered a Declaration of Restrictions  
25 into the record. Staff has the original for

1 safe keeping. But among other things, and  
2 I will get into -- I will get into the  
3 Declaration in more detail in two minutes,  
4 but among other things, the Declaration  
5 makes it clear that they will not be a  
6 rental apartment community developed on this  
7 property.

8 Let me, if I may, quickly give you  
9 a bit of background on the application, give  
10 you a sense of the surroundings, and I will  
11 then get into some of the arguments that  
12 would support your approval of this  
13 application in accordance with Staff's  
14 recommendation.

15 First, let me clarify that the  
16 contract purchaser for this property is  
17 Century Prestige. It's a Limited  
18 Partnership between Century Home Builders  
19 and the Prestige Builders Group. Century  
20 Home Builders will be the entity building  
21 both the previously approved single family  
22 homes, as well as the proposed town homes.

23 The property itself, and if I can  
24 have Mike point to the aerial, the property  
25 itself is a 14 acre parcel of land -- I'm

1           sorry, 14 acre parcel of land located west  
2           of 87th Avenue, just South of Miami Gardens  
3           Drive. It's outlined on the aerial in blue.  
4           And it is adjacent to him an area outlined  
5           in green, which is -- which is an  
6           application that came before this Board back  
7           in July of this year for a single family  
8           home community, which was approved by this  
9           Council, for a total of 330 single family  
10          homes. Century will be building both the  
11          town homes and the single family homes, will  
12          be developing both communities as a Master  
13          Plan Integrated Community. So that the both  
14          the town homes and the single family homes  
15          will share the infrastructure, will share  
16          some of the same architectural features.

17                        This 14 acre tract of land has a  
18          bit of history in that it was part of a  
19          master plan application that went before the  
20          County Commission back in April of 2001.  
21          And the property was redesignated to a land  
22          use category known as office residential.  
23          In the packet that we've submitted for you  
24          as Item 2, I have highlighted the  
25          description of the office residential land

1 use category, just to give you an idea of  
2 what uses will be permitted under that  
3 category.

4 And they include the range of  
5 office from professional offices to medical  
6 offices. They also include hotels, motels  
7 and lastly residential uses.

8 So a residential community is a  
9 permitted community. What happens is that  
10 when you develop residential in the office  
11 residential category, you get a density  
12 bonus in that under the office residential  
13 category we are allowed to go up to 13  
14 dwelling units per acre, or a total on this  
15 14 acres of 181 dwelling units.

16 Under the Declaration of  
17 Restrictions that we have submitted, which  
18 appears as Item 1 in your packets, we are  
19 limiting our density to 141 dwelling  
20 units -- 141 town homes, which is 76 percent  
21 of the maximum permitted density under the  
22 Master Plan.

23 As Item 3 in the packet, I have  
24 reproduced for you a copy of your Resolution  
25 of July of this year on the application on

1 Century Prestige II, and that is the  
2 resolution which rezoned the area outlined  
3 in green, which allowed the 330 single  
4 family homes. As you may recall, and this  
5 is a copy of the site plan that you  
6 approved, the bottom part of it, as you  
7 recall it was a single family home community  
8 arranged around a central lake with a main  
9 boulevard coming from 87th Avenue. It also  
10 included several park areas that are open  
11 space areas, as well as a school, a charter  
12 school, that would serve students in the K  
13 through 8th grade level, for approximately  
14 400 students, which has to be in operation  
15 prior to the applicant obtaining the 220  
16 building permit for the single family home.

17 So that school will be available  
18 not only to serve the single family homes,  
19 but also to serve the town homes early on in  
20 the development process. And that  
21 restriction, just so you know, appears as  
22 Item 4 in your packets, at paragraph 5 is  
23 the paragraph that deals with the proposed  
24 charter school, and specifies that the  
25 school must be in operation following the

1 permit number 220.

2 Because the same applicant is  
3 developing both the town homes and the  
4 single family homes, you have great  
5 opportunities for master planning. We can  
6 take the 14 acres, make it part of the  
7 larger parcel of land, have roads that  
8 interconnect both communities, have  
9 sidewalks and pathways that connect both, be  
10 able to share the infrastructure, and be  
11 able to provide a diversity of housing  
12 types. So that we don't have a single type  
13 of residential community, meaning all single  
14 family homes, we can also offer town homes,  
15 and town homes provide an opportunity for  
16 people to move up or down depending on their  
17 changing needs. For example, someone who  
18 wants to downsize from a single family home  
19 can buy a town home, which is built by the  
20 same builder, designed by the same architect  
21 with the same great architectural features  
22 and be able to downsize while staying in the  
23 same community where they used to live.  
24 Similarly, someone who is perhaps a first  
25 time home buyer who wants to buy a home,

1           instead of having to rent, they can -- and  
2           who might not be able to afford a larger  
3           single family home, might be able to then  
4           afford a town home.

5                         Again, it allows people to move up  
6           and down depending on life circumstances  
7           without having to move outside of the  
8           community.

9                         Due to the obviously to the  
10          congested situation in our roads and to the  
11          overcrowding situations in our schools,  
12          density is always paramount in people's  
13          minds. And I wanted to share some numbers  
14          with you.

15                        The parcel that is before you is  
16          14 acres. We are allowed under the Master  
17          Plan to go up to 13 units per acre. That  
18          would yield 118 units. We are holding our  
19          density at 141. The single family home  
20          parcel consists of 77.40 acres. And on the  
21          Master Plan we could go up to six units to  
22          the acre, or 464 units on that. When you  
23          add 464 to 181 you get a maximum permitted  
24          density, under the Master Plan, of 645 units  
25          within the 91.37 acre parcel of land.

1           That density -- our proposed  
2 density compares very favorably. Let me  
3 give you our numbers. In the single family  
4 homes, we've maintained the density at 4.26  
5 dwelling units per acre. Here we are  
6 agreeing to a density of 10 units or less  
7 per acre, which means that when you take the  
8 average density of the 91 acres, we are at a  
9 5.15 dwelling unit per acre density -- 5.15  
10 which is well in keeping with most single  
11 family home subdivisions in Dade County.  
12 That's 54 percent of the average permitted  
13 density under the Comprehensive Development  
14 Master Plan. We are entirely consistent  
15 with the Comprehensive Development Master  
16 Plan.

17           There is one other issue that the  
18 Master Plan looks at. And that is discussed  
19 in Item 5 in my book. And that is that one  
20 of the goals of the Master Plan is to  
21 promote housing diversity by providing and  
22 by encouraging different housing types. And  
23 that is precisely what I was describing for  
24 you before. We are supportive of that  
25 objective and provide opportunities for

1 different life situations, as people seek  
2 that first home, or a home to downsize.

3 You also have some numbers that  
4 are reproduced for you as Item 7. And that  
5 is, in minor statistical area 3.1 with  
6 properties located, we have -- the Planning  
7 Department has found that the housing supply  
8 will be depleted by the year 2007. So there  
9 is a well documented need to add to the  
10 housing supply.

11 Just to give you a sense of what  
12 that means, planners maintain that a 15 year  
13 housing supply, or a supply that is -- that  
14 would last you for 15 years, is a prudent  
15 and reasonable supply that creates balance  
16 between the housing demands and the supply.

17 We have half of what planners  
18 would consider to be a prudent supply of  
19 housing stock.

20 I have mentioned the charter  
21 school, and I would like to show you other  
22 ways in which this builder, Century  
23 Prestige -- Century Home Builders is being a  
24 responsible builder.

25 First, with the application for

1 the single family homes, they came to you  
2 with the proposal for a charter school for  
3 400 students, right on the site where they  
4 had set aside two and a half acres to allow  
5 a school from K through 8, for at least 400  
6 students, which would create enough student  
7 stations, not only for the children who  
8 would live in the single family home, but  
9 also for the children who would live in the  
10 town homes at both the elementary and the  
11 middle school level.

12 In this instance the offer, once  
13 again, comes to you knowing that there is a  
14 need for a fire station site in the area,  
15 having talked to the fire department staff  
16 and understanding that they are interested  
17 in having a fire station site in the area,  
18 and the understanding that there is another  
19 property owner/developer in the area who has  
20 offered to sell, instead of dedicate a fire  
21 station site to the department, and our  
22 builder comes to you with a Declaration of  
23 Restrictions that sets aside 2.5 acres of  
24 land that will be offered first to the fire  
25 department, for the operation of a fire

1 station. Second, should the fire department  
2 not want the site, it would be offered to  
3 the Parks Department for the operation of a  
4 public park.

5 And lastly, if neither the fire  
6 department nor the parks department would  
7 like the property, that land will be  
8 maintained as green open space as a park by  
9 the homeowners association. I don't know  
10 about you, but I have not seen many 14 acre  
11 applications that come and already up front  
12 are setting aside two and a half acres for a  
13 proposed fire station or park site. That is  
14 quite a commitment on the part of the  
15 builder.

16 And obviously we will have an  
17 impact on the affected public services and  
18 facilities. We are fortunate -- more  
19 fortunate than most areas -- in that you  
20 have not only road improvement projects that  
21 are in the process and funded by the County,  
22 you also have the recent approval by the  
23 Miami Lakes Council of the Lowell Dunn  
24 application which, as I understand, carries  
25 a condition where he has to make

1 improvements to 87th Avenue and 154th  
2 Street. You also have five relief schools  
3 that have been planned by your school  
4 district.

5 What I wanted to show you is that  
6 in addition to the charter school, in  
7 addition to the fire station/park site that  
8 the applicants will be contributing, and  
9 that by the way will be -- will not entitle  
10 the applicant to a credit against impact  
11 fees, that is actual land being set aside  
12 with nothing in return coming to the  
13 builder, we will be paying almost \$900,000  
14 in impact fees, and I have calculated those  
15 impact fees for you as Item 9 in my  
16 submittal.

17 The \$900,000 will include \$291,000  
18 that will go to the school system. And that  
19 is in addition to the almost \$1 million  
20 dollars that will be paid to the school  
21 impact fees in connection with the  
22 construction of the single family homes.

23 When we look at the annual net  
24 fiscal impact that this property would have,  
25 when you compare the cost of serving,

1 providing public services and facilities to  
2 tone homes versus the tax revenues that they  
3 would generate, we've calculated that this  
4 town home community would have a positive  
5 fiscal impact of almost \$400,000 per year  
6 annually for the rest of the life of those  
7 town home units.

8 Let me quickly summarize because I  
9 know you're going to have a lot of questions  
10 and I know there are a lot of people who  
11 wish to speak to you tonight.

12 There is -- and let me just take  
13 you through the five major points. This  
14 application comes to you with a  
15 recommendation of approval from your  
16 professional staff. They have found that it  
17 is consistent with the Comprehensive  
18 Development Master Plan. And, in fact, it  
19 promotes some important policies and  
20 objectives of the Master Plan. And we've  
21 substantially reduced our proposed density  
22 of what is allowed under the Master Plan.  
23 We are compatible with the area, but not  
24 only are we compatible with the development,  
25 the approved -- the approved and proposed

1 development of the area, we control what is  
2 happening to the south, we will be  
3 developing both communities as one Master  
4 Plan community integrated in every respect.

5 This builder has mitigated the  
6 impacts on schools, will be mitigating  
7 impacts on the fire department or the parks  
8 department, as the case may be, and comes to  
9 you with a proposal that provides a very  
10 reasonable use of this property. And we  
11 would ask for your approval in accordance  
12 with Staff's recommendation and the  
13 acceptance of our proposed Declaration of  
14 Restrictions. And we would like to reserve  
15 time for rebuttal when appropriate. That  
16 you, sir.

17 CHAIRMAN BONSENOR: Okay.

18 Is there anyone present in favor  
19 of this application that wishes to speak  
20 tonight? Not you.

21 MR. DRUCKER: Mr. Chair, there  
22 have been a lot of people that have come in  
23 since we swore the witnesses that want to  
24 speak. I think it would prudent to have the  
25 Court Reporter again swear those witnesses

1 who chose to speak.

2 CHAIRMAN BONSENOR: I guess  
3 against the application?

4 MR. DRUCKER: Whatever way they  
5 want to speak. I know there are a lot of  
6 people here, probably half of them came in  
7 after they were sworn.

8 CHAIRMAN BONSENOR: That is true,  
9 thank you, sir.

10 The chair recognizes none present  
11 in favor of this application.

12 Are there any objectors to this  
13 application.

14 Silence, please.

15 Obviously I cannot have all of you  
16 speaking tonight. Unless each of you speaks  
17 for one minute. And we are going to be here  
18 until 3:00 o'clock in the morning. I  
19 suggest those of you who wish to speak get  
20 in line and come to the podium.

21 And please, before you speak  
22 tonight, if you have not been sworn in,  
23 please those of you who wish to speak can  
24 you please stand up to be sworn in.

25 (Thereupon, all witnesses were sworn.)

1                   MR. ROLLE: Can you inform them  
2 that they have to sign in.

3                   CHAIRMAN BONSENOR: Silence,  
4 please.

5                   Is the interpreter around here?  
6 Oh, there you are. We need you around here,  
7 yes. You're fine where you are.

8                   Those of you that are parked  
9 outside illegally, you may get a summons or  
10 be towed away, so I suggest that you take  
11 care of that ASAP.

12                   Given the fact that we have so  
13 many speakers tonight, I will limit the  
14 speaking for one minute, and that's fair.  
15 We are way too many. And please do not be  
16 redundant. Straight to the point. And sign  
17 in as you come in.

18                   MS. ABUHOFF: I already did.

19                   My name is Elaine Abuhoff, I live  
20 at 7910 Northwest 176 Street in Palm Springs  
21 North.

22                   The reason I'm against this,  
23 actually I'm against any building in the  
24 area. Currently between January, 2002 and  
25 2005, we can anticipate 2,658 new homes

1 being built in this area. We don't have the  
2 schools. It's great, they can promise a  
3 school. Are they going to pay for the  
4 school? I haven't heard that yet. I  
5 haven't heard who is going to pay for that.  
6 Are we going to get a fire station? If they  
7 don't take it then we don't have a fire  
8 station. So then we don't have the  
9 infrastructure to be able to accommodate  
10 what we currently got going up, so how are  
11 we going to take on an additional 141 homes.  
12 I mean, they just passed 333, you know, get  
13 the infrastructure up to where we can  
14 accommodate these homes and I don't have a  
15 problem with it.

16 MR. DRUCKER: Folks, could you  
17 hold whatever applause until after they have  
18 finished, please. Otherwise there will be  
19 people who won't get a chance to speak. And  
20 we want everybody who wants to speak to  
21 speak. So, please.

22 CHAIRMAN BONSENOR: And we are  
23 leaving here on time.

24 Please go ahead.

25 (Thereupon, all witnesses were

1 sworn.)

2 CHAIRMAN BONSENOR: Please sign  
3 in.

4 MR. RIGGERMAN: I signed in.

5 Alan Riggerman, Vice President of  
6 Palm Springs North Civic, representing  
7 myself and a good portion of Palm Springs  
8 North Civic Association, along with other  
9 officers who will also represent us.

10 Madam and gentlemen of the  
11 Council, builders build, developers develop,  
12 people such as I and everybody here are  
13 helping to provide employment for land use  
14 attorneys, and I hope they appreciate that.

15 Now, as far as you are concerned,  
16 I give you Kendall Drive. I want you to  
17 think about that. I want you to think about  
18 Kendall Drive North, Miami Gardens Drive,  
19 and it's getting worse and worse and worse.

20 In 1986 we had an Act that  
21 developers freaked at that provided for  
22 levels of service before development.  
23 Nobody needed to worry about it on the  
24 development side, because we haven't paid  
25 very much attention to it, especially the

1 level of service for traffic. Can you say  
2 grid lock?

3 I heard talk about a Master Plan.  
4 If you take a look at the Master Plan in  
5 1975, which I just threw out --

6 CHAIRMAN BONSENOR: Your minute is  
7 up.

8 MR. RIGGERMAN: Okay. I'm against  
9 this, many of us are, do the right thing.  
10 Thank you all.

11 MS. CANCIOBELLO: Good evening,  
12 Diedra Canciobello, 17650 Northwest 82nd  
13 Court.

14 CHAIRMAN BONSENOR: Excuse me, did  
15 you sign in?

16 MS. CANCIOBELLO: I will right  
17 now, okay.

18 I am currently the Palm Springs  
19 North PTA president. I also sit on a  
20 committee downtown called the boundary  
21 committee, ABC. I deal with school issues  
22 and we deal with committee on growth.

23 Currently Palm Springs North, the  
24 state recommended number when Palm Springs  
25 North was built in the additions is 888.

1 Yes, we have 20 portables, but we would all  
2 like to see some of those disappear. I'm  
3 only dealing with the structure, the  
4 permanent structure. 880 children it is  
5 suppose to house. It currently houses  
6 today, 1,800 children. So when you deal  
7 with the numbers like that, you can imagine  
8 what our children are going through. Yes,  
9 we are separating schools currently. We  
10 will be within two months. And Lake Stevens  
11 is the children, the overflow. There is  
12 already 140 children that are enrolled there  
13 that will come here. So we've already got  
14 the growth. We don't need it, I'm totally  
15 opposed. Thank you.

16 MR. ALLEN: Allen, I'm nothing  
17 more than a home owner, 8801 Northwest 176  
18 Street.

19 CHAIRMAN BONSENOR: You signed in?

20 MR. ALLEN: Yes, sir. I'm nothing  
21 more than a homeowner. I will speak to the  
22 people. We the young people and the older  
23 people all moved to our community where we  
24 can raise our families and our children.  
25 When you sit on 87th Avenue at 7:30 in the

1 morning and you move three cars for 10  
2 minutes through a light, that shows us the  
3 kind of homes and housing we have now. We  
4 moved here to get away from the big city,  
5 get away from the traffic. Look at what  
6 they want to do, look at the traffic that it  
7 will bring. Look at the homes, look at the  
8 amount of people. If it's gridlock how they  
9 say now in Kendall Drive, that is why we all  
10 moved to Northwest, that is why we all moved  
11 to the Miami Lakes area, Miami Gardens area.  
12 In time it will be nothing more than a  
13 disaster, and our home value will go nothing  
14 more than down. You need to look at it.  
15 You don't live there, quite a few of you  
16 might live in the community, others don't.  
17 We all built our houses, bought our houses,  
18 work day in and day out to pay for our homes  
19 to live in a community that we feel  
20 comfortable. Letting them do this will  
21 bring nothing more than gridlock, crime and  
22 nothing but a headache.

23 CHAIRMAN BONSENOR: Thank you,  
24 sir.

25 MR. PINO: Good evening. My name

1 is Steve Pino, I live at 17430 Northwest 82  
2 Court, PSN.

3 I sat on the boundary committee  
4 for the new Bob Graham Education Center and  
5 I was the chairperson heavily involved in  
6 all the number gathering and numbers of the  
7 school. And I want to speak about Lawton  
8 Chiles, which is our new middle school over  
9 here. We were told it housed 1,500. That  
10 was a lie. This year they have resaid that  
11 the state recommended number on that school  
12 is 1,176 students. It opened will 1,500  
13 students and today it's housing 2100  
14 students. Way over backed. We have 19  
15 portables at that school right now. It's  
16 grossly overcrowded. And we are heading  
17 further and further. I would like to speak  
18 about the five year plan that he mentioned.  
19 I have been working with Mr. Fernando  
20 Aguirre about land production purchasing and  
21 the five year plan on the schools in this  
22 area. No builders have given up any land.  
23 As a matter of fact, the land for NN1, our  
24 newest middle school --

25 CHAIRMAN BONSENOR: Sir, your time

1 is up.

2 MR. PINO: Thank you, please vote  
3 against it.

4 CHAIRMAN BONSENOR: Please,  
5 please, no clapping.

6 MR. DRUCKER: Folks, folks, folks,  
7 folks folks, if you are going to yell out  
8 the Court Reporter isn't going to be able to  
9 take down what people are saying. You're  
10 going to have a delay in the meeting, and  
11 you're going to cause people not to have the  
12 opportunity to speak.

13 Please, if you want to speak, get  
14 in line and please speak.

15 UNIDENTIFIED SPEAKER: Yeah, but  
16 it's only one minute.

17 UNIDENTIFIED SPEAKER: How can you  
18 make your point in one minute, that's not  
19 fair.

20 CHAIRMAN BONSENOR: You have too  
21 many here, you are too many.

22 MR. DRUCKER: Folks --

23 CHAIRMAN BONSENOR: Unless you  
24 send somebody to speak for you, for all of  
25 you, that's fine, then I can assigned five

1 minutes. But how can I give 10 minutes to  
2 each of you. We are going to be here until  
3 3:00 o'clock in the morning, sir.

4 Please.

5 MR. FERRER: Good evening, my name  
6 is Audelio Ferrer, I live at 9047 Northwest  
7 173 Terrace, and I have come to beg you to  
8 please not approve this proposal. We have  
9 heard a lot of people talking about the  
10 impact that this is going to have in our  
11 schools and in our fire department. They  
12 are not talking about the impact that it's  
13 going to have in our local hospitals, they  
14 are not talking about what it's going to do  
15 to the police department. We already have a  
16 high density. They are proposing housing  
17 that is about three times the density of  
18 what our current housing in these areas is,  
19 and the value that they are proposing is  
20 \$175,000 for these houses. These houses are  
21 surrounded by houses that start at \$300,000,  
22 which is about half of the value -- half to  
23 a third of the value of what our current  
24 housing is. A lot of these houses are way  
25 over \$300,000. I ask you to please vote

1           against it.

2                       MR. CANALES: My main concern is  
3           about the traffic. Like the gentleman  
4           mentioned, all of these cars are going to  
5           Galloway, 87 Avenue. He mentioned about a  
6           main boulevard and merging into Galloway.

7                       Because of the location of these  
8           14 acres, I-75 is locking out these acres  
9           and there is no way that all of these  
10          vehicles are going to be able to merge into  
11          Miami Gardens Drive.

12                      So they are all going to merge to  
13          Galloway. Right now we get a good five  
14          minutes to make a left turn on Miami Gardens  
15          Drive.

16                      The other thing is the  
17          surroundings. The only supermarket, Publix,  
18          which is already jammed, and the rest of the  
19          area we've got two gas stations that usually  
20          they always occupy, so I don't think that  
21          all of these vehicles -- all of these  
22          apartments that is usually two or three cars  
23          per family, are going to be -- it's not  
24          going to be good for all of them to be  
25          merging into Galloway. We want single

1 family dwellings around our community.

2 MR. ROLLE: I don't think he  
3 stated his name.

4 CHAIRMAN BONSENOR: Sir --

5 MR. CANALES: My name is Ed  
6 Canales, 87th Place and 174 Street.

7 CHAIRMAN BONSENOR: Thank you.

8 MR. MIRANDA: Hi. My name is  
9 Eddie Miranda. I signed in. My name is  
10 Eddie Miranda. I live on 18101 Northwest  
11 82nd Avenue in PSN. And using our  
12 attorneys' numbers that doesn't live in our  
13 community, we are suppose to feel good  
14 because we have cancer at 76 percent of our  
15 body versus one hundred percent of our body.

16 That is ridiculous. He's talking  
17 about fiscal impact and fiscal this but not  
18 once did he ever mention quality of life.  
19 And that is what this thing, the bottom line  
20 it's impacting us. That is why we live in  
21 this community. We got away from Kendall,  
22 we got away from Westchester, we got away  
23 from all these congested areas, there is a  
24 last little corner of Dade County where we  
25 can raise our families and but not so

1 congested. And it's bad enough already on  
2 Miami Gardens Drive trying to get I-75 and  
3 it takes you 20 minutes just to get there.

4 So forget about these fuzzy  
5 numbers, let's vote against this. Do the  
6 right thing, not only by yourselves but by  
7 the people that live in this community and  
8 vote against this. It's bad enough that we  
9 are going to have at least 600 more cars in  
10 this community.

11 MR. SOLIS: Gilbert Solis, 17661  
12 Northwest 89 Court. And if we could show  
13 that map right there, 87 Avenue, I heard  
14 nothing about traffic impact from him. Have  
15 you done a traffic impact study in this  
16 area? Have you looked at the I-75 right  
17 close to this opening here? What are you  
18 going to do for storage for vehicles?

19 CHAIRMAN BONSENOR: Sir, he's  
20 going to answer the questions later.

21 MR. SOLIS: Okay.

22 We need to look at traffic  
23 impacts. The town homes here are just going  
24 to create a lot more congestion. I invite  
25 you to drive this in the morning, 7:30, 8:00

1 o'clock in the morning. I-75 to get on to  
2 87 Avenue, you can't get out. At Miami  
3 Gardens Drive it takes one to three light  
4 changes to get out to I-75. Please, think  
5 about it. Vote against it. Thank you.

6 CHAIRMAN BONSENOR: Thank you.

7 MS. HAGEN: Barbara Hagen, 7336  
8 Bay Hill Drive, Country Club of Miami.

9 Just stop, all building. Recently  
10 in a municipal advisory committee we learned  
11 that from the boundary of the expressway way  
12 to the County Line, from 75 to 57th Avenue  
13 there is 10 percent of the land for  
14 development. There is a tremendous impact  
15 now from the residents.

16 Things aren't even built down 75  
17 Place. There is apartment buildings that  
18 are scheduled to be built that didn't get  
19 approval, already zoned. Just stop all of  
20 it. 87th Avenue, as you recall in your non  
21 zoning meetings, was one area that there was  
22 complaints of flooding. Building means  
23 flooding to the already existing residents.  
24 Stop all the building until we can get it  
25 right so it does not impact the residents of

1 this area.

2 MS. ALBETTER: Tonia Albetter, I'm  
3 at 9028 Northwest 174 Street.

4 Our block created a crime watch  
5 prevention area, and we had to do that  
6 because out of the 14 homes that were  
7 currently on our block, five of them had  
8 been victimized either by car theft or  
9 breaking in and the majority of the people  
10 that lived there, a lot of them were stay at  
11 home moms, so this even occurred with  
12 mothers being at home.

13 What I've noticed is there is just  
14 overcrowding that is going to create more  
15 traffic, more crime. The Publix in the  
16 corner I don't even attempt to go there. I  
17 go to the one in Miramar just to avoid the  
18 hassle. The crowding at the PSN school, to  
19 get out of the community, I either have to  
20 try I-75, Miami Lakes Drive, or even 67  
21 Avenue, whichever route you take, it takes a  
22 long time to get out. So I just think that  
23 building town homes is a big mistake.  
24 Single family homes, I think more people  
25 will be -- I object.

1                   MR. CARRERA: Good evening, Ed  
2 Carrera, 8460 Northwest 185 Street.

3                   First of all, I would like to  
4 commend the builder for offering the school  
5 and fire, but even at his school at 400  
6 wouldn't even catch us up to how far behind  
7 we are now in the area.

8                   Secondly, you have to realize that  
9 each house means multiple cars and multiple  
10 kids. So don't look at the percentages,  
11 look at the real things. My house, for  
12 instance, we have four cars. And I'm sure  
13 most everybody here has at least two or  
14 three.

15                   In that whole area, as it is now,  
16 the only out that you have is to reach any  
17 of the freeways is 186 Street or going east  
18 and west on 82nd, or going up to 67th  
19 Avenue. As it is now, that is total  
20 gridlock. Can you imagine if you put these  
21 additional homes there, what is going to  
22 happen? I object and I ask you just to at  
23 least visit the area during rush hour and  
24 see what we are faced with.

25                   MS. GOBIA: Good evening, my name

1 is Marilyn Gobia. I'm the district  
2 chairperson for the Citizen's Crime Watch,  
3 Miami Lakes District.

4 My concern is the issue that  
5 presently, yeah, there will be single family  
6 town homes, I guess -- not single family,  
7 there will be town homes that will be  
8 purchased and owned.

9 However, who is going to monitor  
10 later on the renters, if there is going to  
11 be renters there?

12 Now, in addition, I know that the  
13 issue was brought up in regard to the  
14 charter schools. I'm also a substitute  
15 teachers for Palm Springs North Elementary.  
16 It would be great to have it, but with  
17 \$291,000, it's not going to cut the \$30,000  
18 salary that we have for approximately 30,  
19 40, 50 teachers.

20 I object to it. Thank you.

21 MR. MAGRON: My name is William  
22 Magron, I live in Palm Springs North, 8331  
23 Northwest 182 Street. I grew up in Palm  
24 Springs North since seven years old, moved  
25 out, got married, had to raise a family,

1 looked for an area to raise a family and was  
2 blessed to buy a house on the lake. The  
3 houses on the lake are approaching \$350,000,  
4 \$400,000.

5 The attorney talked about tax  
6 revenue, but it's fatally flawed. He talks  
7 about \$400,000 in revenue for the County,  
8 which can easily be achieved by providing  
9 sixty homes on those 14 acres of \$350,000  
10 houses, which would go ahead and increase  
11 the tax revenue to the \$400,000 that would  
12 still have the benefits to the County and  
13 nobody here would be upset with the traffic  
14 problems, and everything else that goes  
15 along with it.

16 If you want it, put single family  
17 houses and not town houses and apartments.

18 MS. TORRES: My name is Martha  
19 Torres, I live at 9046 Northwest 173  
20 Terrace. I object to this proposal, not  
21 just because of the school overcrowding that  
22 we already have, I'm a public school  
23 teacher. I believe in smaller class sizes.  
24 I also cannot allow my investment in my home  
25 to be washed out the door. I invested a lot

1 of money and the values of the homes that  
2 you're bringing in, the town homes do not  
3 compare to what our houses are worth at this  
4 moment.

5 Above all, I ask that you do not  
6 let this happen for the sake of our  
7 children, our schools, our homes. Most of  
8 all our neighborhood. I don't think any of  
9 the solutions that you proposed are good  
10 enough to convince me otherwise.

11 MR. RUDACILL: My name is Frank  
12 Rudacill, I'm at 8742 Northwest 170 Terrace  
13 in Palm Springs North.

14 I would like to say that I'm  
15 opposed to anything that is other than  
16 single family homes. It should be on a 75  
17 by 100 foot boundary property line. At  
18 least you have nice big \$100,000, \$200,000,  
19 \$300,000 homes on that size.

20 Also, the deal with the traffic,  
21 we need access to entrance and exits off the  
22 Turnpike. We have no way of going anywhere  
23 in that corner of the County, other than  
24 Miami Gardens, and that's a stop light all  
25 the way back to get to the Palmetto

1 Expressway or to go up and down I-75.

2 So access to the Turnpike would  
3 help a little bit. But other than that, you  
4 know, just single family homes, more  
5 schools, more fire that is fine, but just  
6 single family homes. Thank you.

7 MR. IGLESIAS: My name is Angel  
8 Iglesias, I'm at 8934 Northwest 147 Lane.

9 My wife is a school teacher at  
10 PSN. I understand you have a member on your  
11 Board who is also a school teacher at PSN.  
12 You should be keenly aware of the situation  
13 at that school. If you had any -- if you  
14 zone any area around here that is higher  
15 density than even single family homes, you  
16 make the situation even worse. I did some  
17 simple math here. And 141 homes times three  
18 people per home, that is 423 people. That  
19 is 30 people per acre. That is a higher  
20 density than Hialeah. I left Hialeah to get  
21 out of that situation. I'm not going to  
22 come here and be in this situation.

23 MR. GUTIERREZ: Hi, my name is  
24 Carlos Gutierrez, I live at 9106 Northwest  
25 173 Terrace. I believe the gentleman said

1 they were going to do a pond or a lake. Are  
2 they going to excavate and cause structural  
3 damage to all the houses within 10 mile  
4 radius?

5 Aside from that, they are talking  
6 about revenues as a result of taxes. Hasn't  
7 the increase in the value of the house  
8 compensate for that overall, when you take  
9 all the property values?

10 And another portion, as a result  
11 of the constructing those town houses, you  
12 are automatically going to drop the value  
13 \$30,000, \$40,000 around the houses minimum.  
14 So it's a big difference. I understand the  
15 value of the property in the area is very  
16 expensive, so I wonder why they are going to  
17 donate two acres? There is something behind  
18 it. I understand what they are doing, it  
19 doesn't make sense.

20 MR. RIVERA: Good evening, my name  
21 is Gilbert Rivera, I reside at 9083  
22 Northwest 171 Lane.

23 I think town homes is just a  
24 snowball effect into rentals and bigger  
25 properties and larger, more concentrated

1 properties, because that is the way it  
2 always occurs.

3 If you notice where there are town  
4 homes, then they start building rentals, and  
5 it just gets -- it's a snowball effect. And  
6 if our taxes -- if our property values drop,  
7 where our taxes go down afterwards, that is  
8 what I would like to know, you know.

9 MR. LAGUARDIA: Good evening, my  
10 name is George Laguardia. I live at 9063  
11 Northwest 171 Lane. For the last 30 years I  
12 lived in -- in the City area, and I have  
13 worked myself, along with many other people  
14 that are here, to better yourself without a  
15 guarantee where I am at right now to get a  
16 house at the value that I have right now.  
17 What is the guarantee that they have for us  
18 citizens here that our value will not go  
19 down?

20 Thank you.

21 MS. MESTRE: Patricia Mestre,  
22 18121 Northwest 85 Avenue, Project  
23 Supervisor, Dade County Public Schools in  
24 charge of scheduling.

25 I feel the pain of stuffing our

1 students into closets every single day. I  
2 have to go through the politics of all of  
3 this, all day, every day. I don't like to  
4 have to come here again, twice. We have  
5 made mistakes on the two new schools that we  
6 built about the boundaries because we didn't  
7 have all of these -- the projected homes on  
8 the maps. You're about to do it again.  
9 You're doing it -- I mean, we can't -- the  
10 schools cannot handle any more children.  
11 Charter schools are for profit. I want to  
12 know who will own this school. Will your  
13 developer own the school? Most charter  
14 schools are run by administrators who can't  
15 cut it in the public school system. Why  
16 don't you give the money to the public  
17 school system?

18 MR. ARENCIBIA: Richard Arencibia,  
19 8950 Northwest 174 Street. Thank you for  
20 your time here with us today and letting us  
21 speak.

22 I'm a homeowner and I'm concerned.  
23 I'm opposed to the building of townhouses in  
24 the area. I would -- we all prefer single  
25 family homes that accommodate six per acre

1           versus 12 units for the townhouses. We  
2           don't need fire stations. We have one  
3           already within a two mile radius, I believe.  
4           If you want to better the fire stations,  
5           give them more machinery, give them more  
6           employees. We don't need a building.  
7           Buildings don't take care of things.

8                         Security, who is going to maintain  
9           the parks if we don't get a fire station?  
10          Who is going to maintain that? Who is going  
11          to pay that? Are we going to have more  
12          crime in the area?

13                        Associations, how much will they  
14          pay for associations?

15                        Zero lot homes, is it going to be  
16          zero lot homes? And again, like everyone  
17          says, the traffic, will 87 Avenue be larger  
18          by the County, and all that. Thank you.

19                        MR. HERNANDEZ: Hi, my name is  
20          Nestor Hernandez, I live 17631 Northwest 89  
21          Court, literally two blocks from where this  
22          project is trying to initiate.

23                        I have the same concern the lady  
24          had before. If this is a town home, who is  
25          going to control later that this is not

1 going to become rental units for the area?

2 And what I suggest is that you  
3 approve this for only single family homes  
4 with no zero lots. Thank you.

5 CHAIRMAN BONSENOR: Thank you.

6 MR. VALERO: Good evening. My  
7 name is Alba Valero. My address is 9027  
8 Northwest 176 Lane.

9 All of you have children -- most  
10 of you at least have children and have  
11 worked hard all your lives to have a little  
12 house, modest and at the same time, in a  
13 nice neighborhood.

14 I'm not saying that our  
15 neighborhood will change that badly, but it  
16 will be more crowded, it will be a lot of  
17 traffic, a lot of accidents. It will affect  
18 our children. I'm a grandmother. I have  
19 children and grandchildren, and I speak for  
20 hundreds of my neighbors around the block  
21 that are not here today do. And if you need  
22 any signatures, I will be glad to collect  
23 all their signatures.

24 Thank you.

25 MR. MOJINA: Hi, John Mojina, 8702

1 Northwest 117 Terrace. I came from New  
2 York, New Jersey area. And you know what?  
3 They have parks over there, Central Park,  
4 Washington Park. You drive in New Jersey,  
5 everybody has parks. I have, you know,  
6 great recommendation. Take back the land  
7 and build a nice park, playground for kids  
8 and a small, little shopping center with a  
9 ballet school for kids, karate school. Do  
10 something nice with the land. Don't give it  
11 to these guys. Our property value will go  
12 up after that. Thank you.

13 MR. FLEITAS: Good evening. My  
14 name is Edwin Fleitas, I live at 8742  
15 Northwest 174 Terrace. I don't have much to  
16 say. Pretty much everybody has said  
17 something. All I want to add to this is my  
18 children have been victims of this  
19 overcrowding in the schools. My children  
20 have to take classes in the kitchen, in the  
21 auditorium, 90 students in a class because  
22 there is not even portables available for  
23 them. How about police? Standing at a  
24 corner of 87 Avenue and 186 Street. How  
25 many miles away is the first police station

1 that you can get to? I mean, fire  
2 departments, police departments, shopping  
3 centers, that is what we need. Thank you.

4 MR. CASTRO: My name is Jose  
5 Castro, 8615 --

6 CHAIRMAN BONSENOR: Did you sign?

7 MR. CASTRO: Yes, I did, on the  
8 paper, the paper there.

9 8615 Northwest 192 Lane, and I  
10 speak on behalf of all 180 houses in the  
11 neighborhood.

12 I have three kids and they have  
13 been assisting the schools. I have been  
14 living in the area for 22 years. My kids,  
15 they have gone through PSN, they were moved  
16 to the other school, Chiles, basically now  
17 the elementary is a new one, Lawton  
18 Chiles -- I mean the middle school. But  
19 people that have kids on elementary, they  
20 cannot pass through two elementary schools  
21 before they get to Chiles which is the one  
22 assigned in the area.

23 Okay, I'm not going to take any  
24 more time. Just vote against it, everybody  
25 has said it, basically the same reason for

1 it. Thank you.

2 MS. MOSTALIER: Good evening, my  
3 name is Mora Mostalier, I'm sorry for my  
4 English because it's not too good. But I  
5 want to ask you a question. This land is  
6 empty for how many years? I don't know.  
7 The people who live there, we take -- we  
8 sell the house we have before, we spend all  
9 the money we have in that area, and right  
10 now why the people don't take that  
11 renovation before, you know, because we  
12 spent a lot of money in that houses, to try  
13 to keep a quiet place, and right now trying  
14 to do this -- this type of new home where  
15 live more people, more traffic, more  
16 everything. I think this is completely  
17 unfair and I don't agree with that agreement  
18 they are trying to do. Thank you. God  
19 bless you.

20 MR. PERUYAS: Good evening, my  
21 name is Manuel Peruyas. I represent  
22 Angelica Gardens. I live at 19045 Northwest  
23 85 Avenue. I believe that the developer  
24 presented a very eloquent case, but they  
25 have to take one thing under consideration.

1           One of the requests that you guys  
2           made was not to be redundant. I would like  
3           to bring forth one statement that a lady  
4           made earlier and it hasn't been brought up  
5           again.

6           What is going to happen after the  
7           homeowners buy and they rent, what is going  
8           to happen to the rest of the community? I  
9           think that you can see here a community  
10          becoming very strong from many areas. I  
11          prove against this please, thank about it.  
12          Thank you.

13                 MR. RUIZ: Raul Ruiz, I live at  
14          Royal Landings. I have been in this  
15          community or in this area for over 35 years,  
16          35 years my father brought me to PSN, and I  
17          have seen all this area developed. We've  
18          got more traffic, the school -- my son is  
19          going to the same school that I went to,  
20          overcrowded. You get excuses because the  
21          school is overcrowded. There is another  
22          side of I-75 if they want to build, and I  
23          think our county should do something about  
24          schooling, police department. You know, the  
25          alarm goes off at least 22 minutes before

1           you get a response because they all have to  
2           go to the other side of the world, Carol  
3           City or Country Club of Miami which is no  
4           longer what it used to be because we are not  
5           going ahead. Our tax dollars is not going  
6           where it needs to go. Build regular houses  
7           for the rest of the land that we have here.  
8           We all have hell going to Publix. And  
9           they're finally building a CVX in Miami  
10          Lakes so we can have another area to buy  
11          drugs or pharmacy prescriptions.

12                        This place is overcrowded. Let  
13          them finish it up with big houses, if that  
14          is what they want to do, because nothing is  
15          going to happen about our traffic in Dade  
16          County regardless. Thank you.

17                        MR. RODRIGUEZ: Good evening, my  
18          name is Samuel Rodriguez, I'm the president  
19          of Palm Springs North Civic Association. We  
20          have 1800 homes in our association and 5,600  
21          residents. And the Board of Directors and  
22          the Civic Association has voted to come  
23          tonight to this meeting and give a strong no  
24          for this application. We know we can't stop  
25          developing, we know that there is a housing

1 shortage. You need to vote this no. They  
2 need to come back to you with a better plan.  
3 We need homes that are worth what are worth  
4 in PSN and the neighborhood just directly  
5 south to them, which are \$300,000, \$250,000  
6 plus. They are at the very bottom of the  
7 totum pole, as far as those townhouse  
8 prices. They are going to ruin the value.  
9 It's hard to get up here and not be  
10 redundant, but it's gridlock. PSN school is  
11 on a one lane road. Lawton Chiles is on a  
12 one lane road. They are sitting at the very  
13 top of Dade County for overcrowding. You  
14 can't get in and out of them. It's total  
15 gridlock. You have to vote no.

16 CHAIRMAN BONSENOR: Thank you.

17 Are you ready for the rebuttal?

18 MR. MAYOL: I don't know about  
19 that, but I'm here to try.

20 That's a tough act to follow.

21 UNIDENTIFIED SPEAKER: You've got  
22 one minute.

23 CHAIRMAN BONSENOR: Let's be fair,  
24 guys.

25 Order, please, order.

1                   Okay, I mean we listened to all of  
2                   you. I'm going to go give him five minutes  
3                   for the rebuttal.

4                   UNIDENTIFIED SPEAKER: Why?

5                   CHAIRMAN BONSENOR: Order, please.

6                   MR. MAYOL: Let me be as brief as  
7                   possible, Mr. Chair, and I appreciate the  
8                   opportunity for a few minutes of rebuttal.

9                   CHAIRMAN BONSENOR: Let me mention  
10                  something. When he finishes, again, the  
11                  hearing will be closed and nobody will be  
12                  speaking after that. Nobody has any right  
13                  to add anything to what he says; okay?  
14                  Itself the rule. The County established  
15                  that, not me; okay? Just for the record.

16                  MR. MAYOL: Let me quickly go  
17                  through some of the issues that were brought  
18                  up.

19                  First one is an easy one, someone  
20                  complained about the fact that we are going  
21                  to do a lake, they are concerned about the  
22                  excavation of the lake and their homes.

23                  There will not be any blasting in  
24                  connection with the digging of the lake. It  
25                  will be dug through mechanical means.

1           The school overcrowding issue,  
2 obviously is a very serious one, and we all  
3 suffer the consequences of a system that is  
4 severly overcrowded. That is why our  
5 builder, the applicant before you, made a  
6 commitment to build a charter school. This  
7 will be a privately built, privately run  
8 charter school on property that was set  
9 aside buy this builder.

10           Recently the same builder entered  
11 into conversations with the school system.  
12 The school system is interested in acquiring  
13 additional land in the area. If that were  
14 to happen, then the size of the school would  
15 double, and that is not a certainty, so we  
16 are proposing, as we are committing to do on  
17 the Declaration, a charter school for 400  
18 students K through 8.

19           As to the value of the property on  
20 a per square footage basis, the town home  
21 units that we are proposing will have the  
22 same value as any of the single family homes  
23 to the south. They may -- if I may, when  
24 you spoke I didn't interrupt you.

25           We will be offering a town home

1 unit that will be a comparable price and  
2 will not have any adverse impact on the  
3 value of the homes.

4 Someone spoke about the lack of  
5 commercial services. As you know, next to  
6 this property there are 30 acres that are  
7 designated for business and office uses.  
8 That is where the commercial services will  
9 come later.

10 As to the issue of rental units,  
11 we are telling you, by covenant, that we  
12 will not develop a rental community. Now,  
13 if I buy a town home here, I am able to rent  
14 it if I decide to rent it down the line,  
15 just like I could rent my home today, they  
16 can rent the house today. So there is no  
17 limitation for future rentals.

18 In terms of the need for a fire  
19 station, this fire station site has been  
20 offered free of charge to the department.  
21 It is --

22 CHAIRMAN BONSENOR: Ma'am, if you  
23 continue, we're going to have to get  
24 security.

25 MR. MAYOL: This land has been

1 offered to the department free of charge,  
2 and we hope that they will take and will  
3 built the fire station here.

4 However, as of July of this year,  
5 the response time for fire in this area was  
6 anywhere between two to four minutes, with  
7 the four minute response time is deemed  
8 desirable.

9 As to police, and this is all in  
10 your Staff report from July of this year,  
11 police response time that is desired is six  
12 minutes for an emergency call. Here we have  
13 a response time of 5.2 minutes.

14 In terms of the traffic, when you  
15 look at the area, of course it's severely  
16 congested. The roads are in gridlock. But  
17 you also have to consider some improvements  
18 that are already funded that are coming on  
19 line, including 87 Avenue, including 154th  
20 Street.

21 I think it was Alan Riggerman who  
22 mentioned the concurrency regulation. You  
23 have the report from the Public Works  
24 Department. They have reviewed the  
25 application. It meets concurrency. The

1 level of service is actually level of  
2 service C for the affected roadways.

3 So the project has been reviewed  
4 for concurrency by your professional staff.

5 In terms of the density, when you  
6 look at the maximum density that are  
7 permitted on this property, it's 645 homes.  
8 We are proposing combined -- when you  
9 combine the single family homes with town  
10 homes, 471, which is 5.15 dwelling units per  
11 acre, which is comparable to any single  
12 family homes in the division.

13 Now, I heard someone say no more,  
14 stop development and I was certain that I  
15 would here the M word, or moratorium where  
16 you just stop all construction and you set  
17 the County on status quo. This is a great  
18 County and a great place to live. And  
19 fortunately we have open borders, and people  
20 like me can move into this area -- yeah, 30  
21 seconds -- seeking a better future, a better  
22 opportunity for our family. Is it -- is it  
23 fair to me to say no more? We have no  
24 control. People will continue to come here.  
25 If you shut down development, you shut down

1 the impact of your revenues that will fund  
2 the new schools and will fund the new roads.  
3 I ask you to approve this application in  
4 accordance with the Staff recommendation .

5 CHAIRMAN BONSENOR: Order please,  
6 order, order.

7 MR. MAYOL: I'm done.

8 CHAIRMAN BONSENOR: Now this  
9 zoning hearing is closed. Now the council  
10 members will ask questions -- council woman  
11 will ask questions of the applicant. Any  
12 questions? Guys?

13 UNIDENTIFIED SPEAKER: Ask him if  
14 he's going to building --

15 MR. DRUCKER: Folks, folks, the  
16 public hearing is closed. There is a Court  
17 Reporter here. The Board will discuss it.  
18 Please don't shout things out. We want you  
19 all present to hear discussions. If you  
20 shout out, we are going to have to ask you  
21 to leave, and we don't want to do that,  
22 please.

23 CHAIRMAN BONSENOR: Now, any  
24 questions?

25 MR. O'DELL: Yes.

1 CHAIRMAN BONSENOR: Go ahead, sir.

2 MR. O'DELL: You mentioned that  
3 your units were going to start at \$175,000.  
4 Is that your starting unit or is that the  
5 average price or what?

6 MR. MAYOL: That's the starting  
7 price, pre-sales as we stand here tonight,  
8 so it's likely to be higher when the units  
9 are actually offered for sale.

10 MR. O'DELL: Is there a range?

11 MR. MAYOL: It will start at  
12 \$175,000, probably get to \$200,000,  
13 \$225,000, depending on the upgrades and the  
14 options that are selected by each buyer.

15 MR. O'DELL: When do you plan on  
16 starting construction?

17 MR. MAYOL: Well, that is actually  
18 subject to several approvals that we have to  
19 go through, including subdivisions and  
20 environmental permitting, so construction on  
21 the town homes will not start for probably  
22 another 12 months.

23 MR. O'DELL: You mentioned that  
24 there was a plan that Lowell Dunn  
25 application required road improvements to

1 Northwest 87 Avenue. Is that from 154th to  
2 186?

3 MR. MAYOL: I believe, Mr. O'Dell  
4 it's from 154th to 170th. And then the  
5 County is going to four lane from 170th to  
6 186th.

7 MR. O'DELL: We know how well the  
8 County proceeds on stuff like that.

9 MR. MAYOL: True.

10 MR. O'DELL: You know, we've got a  
11 two lane road there that is gridlock going  
12 into 186 Street. Do you know when they are  
13 planning on completing that portion and from  
14 what extent?

15 MR. MAYOL: Fortunately,  
16 Mr. O'Dell, it is funded, it's in the TIP.  
17 Usually the hard part is to get into the  
18 TIP. That is the document that allocates  
19 the funding for roadway improvements. I  
20 know that it's already in. Let me show you.  
21 It's actually Item 8 in your booklet. And  
22 it is showing that the design is completed,  
23 and it shows that the work will be done in  
24 the year 2004, 2005. So a year, a year from  
25 now construction will begin.

1                   The other good news is that --

2                   CHAIRMAN BONSENOR: Hearing is  
3 closed.

4                   MR. MAYOL: The good news is that  
5 as this property is developed, the owner  
6 will be required to dedicate the  
7 right-of-way for 87th Avenue. The problem  
8 with 87th Avenue was that many of the owners  
9 along 87th Avenue refused to provide the  
10 right-of-way so the County could then build  
11 the road. So that is what has delayed that  
12 project.

13                   MR. O'DELL: Are you talking about  
14 the homes that back up to 87 Avenue.

15                   MR. MAYOL: No. Actually the  
16 biggest problem was the Lowell Dunn  
17 property. I don't know if you can see it  
18 here on the aerial.

19                   The biggest issue was really this  
20 section here where Mr. Dunn controlled --  
21 Mr. Dunn controlled both sides of 87 Avenue,  
22 the east and west sides. So therefore you  
23 could not -- you could never have a complete  
24 connection for 87 Avenue. He has now  
25 received approvals, development approvals

1 for his property, so 87 Avenue will now be  
2 open.

3 Also here, the property, subject  
4 property, the dedication had never been made  
5 from Miami Gardens Drive to 178 street. Now  
6 that this property is under development,  
7 that dedication will be made and the  
8 improvement will be made.

9 MR. O'DELL: Okay. You're saying  
10 that that will be completed in what year?

11 MR. MAYOL: The County is showing  
12 that they would start construction 2004, I  
13 believe. Let me just check again. 2004 to  
14 2005, the first year of the three year  
15 program. That's item 8 in the booklet.

16 CHAIRMAN BONSENOR: Mr. O'Dell?

17 MR. O'DELL: Okay.

18 CHAIRMAN BONSENOR: I have some  
19 concerns. Do you have a question? Go ahead  
20 before I make my statements. Go ahead.

21 MR. GARCIA: I want to add or  
22 actually just kind of spring board off Mr.  
23 O'Dell's question on 87 Avenue.

24 While I do not have it in writing,  
25 but I have been asking about 87 Avenue, and

1 I have spoken to folks that have  
2 communicated with the Dunns. And I think  
3 your explanation is a little flawed and I'm  
4 not saying that you did not have the right  
5 information.

6 Did you realize that the two east  
7 lanes are part of the Indian burial grounds.  
8 And then the two west lanes are part of the  
9 Dunns. And they are not planning to do  
10 anything for the next five years.

11 Please, no applause, it's just I  
12 want to make a point that -- I just want to  
13 be consistent that if it's something that is  
14 going to happen, it's actually going to  
15 happen. I don't have in writing, I'm going  
16 to say that again, I'll repeat it. But I  
17 have been asking, because that is a concern.  
18 I personally live on 87 Avenue and 186  
19 Street. I know the traffic situation, I  
20 live it every single morning. And I have  
21 been living it for the last six years that  
22 I've lived there, so I understand. I just  
23 want to know what is it, if anything, that  
24 is it in your plans for 87 Avenue. Are you  
25 going to get some answers to 87 Avenue? Are

1           you going to be sure that 87 Avenue is going  
2           to be -- sir, don't wave at me, please. I  
3           want to make sure that 87 Avenue is going to  
4           be taken care of to alleviate all that  
5           gridlock.

6                         MR. MAYOL: Mr. Garcia, the four  
7           lane of 87 Avenue has been on the TIP for  
8           some time, it has been funded for some time,  
9           and the issue has been always the dedication  
10          of the right-of- way. Again, because you  
11          had the Indian burial ground and the other  
12          Lowell Dunn piece, as well as this area,  
13          they had not made the dedication.

14                        The design has been funded. Now  
15          as the area develops people will be -- the  
16          owners of the properties will be making the  
17          dedication of the right-of-way, and then the  
18          County will be able to proceed with that  
19          improvement.

20                        This section, the 170th to Miami  
21          Gardens Drive is actually a County project.  
22          The Lowell Dunn obligation as I understand  
23          it, it's really for 154th Street to 170th  
24          and it was part of the Miami Lakes approval.

25                        I'm not -- I never referred to the

1 timing because I'm not aware of the timing,  
2 I think it's tied to the actual development.  
3 As the development progresses, they have  
4 certain thresholds, timing thresholds for 87  
5 Avenue will have to be completed. I don't  
6 know, you said five years, I just don't  
7 know, for that portion, 170 to 154th.

8 MR. GARCIA: That time frame is  
9 critical, because in the event that  
10 something is built there, whatever it is,  
11 whether single family homes or town homes or  
12 whatever is built, let's say single family  
13 homes for the sake of argument, you're still  
14 going to have the same amount of situation,  
15 you're still going to have the same traffic  
16 tie-ups, you're still going to have the same  
17 situation with the traffic on 87, Miami  
18 Gardens Drive, I-75, you're going to have  
19 that.

20 So I want to see if there is  
21 something that you have planned, the  
22 developer has planned to address that.

23 MR. MAYOL: That portion, from 170  
24 to 154, which is really controlled by  
25 Mr. Dunn, is tied to his own development,

1 not tied to this development. So there is  
2 little that we can do to give you any  
3 assurance between 154 and 170.

4 CHAIRMAN BONSENOR: Okay. As I  
5 said before, I have some concerns with this  
6 application simply because it seems like you  
7 failed or your organization -- the  
8 organization that you represent, failed to  
9 meet with the civic associations, obviously  
10 otherwise this cafeteria would not be here.

11 MR. MAYOL: If I may address that,  
12 Mr. Bosenor.

13 I think that the reason this  
14 cafeteria is full of people, is actually  
15 this petition that was mailed --

16 CHAIRMAN BONSENOR: Please,  
17 please.

18 MR. MAYOL: -- that was mailed and  
19 referred to rental apartments and to slum  
20 housing. I actually got a copy of that  
21 petition yesterday. I was not aware of any  
22 objections by any civic associations.

23 If I had been aware, I would have  
24 met with every single person who wanted to  
25 meet with me.

1                   CHAIRMAN BONSENOR: Well, usually  
2 before any application comes to us, we do  
3 recommend that they meet with the different  
4 civic associations. It could be Palm  
5 Springs North Civic Association, Country  
6 Club of Miami, whichever adjacent  
7 association is affected by a particular  
8 project.

9                   And I say that simply because it  
10 seems like that didn't happen.

11                  MR. MAYOL: It did not, and that's  
12 a great suggestion.

13                  CHAIRMAN BONSENOR: I do have to  
14 agree with the community that if we do build  
15 single family homes in this site, at this  
16 particular site, yes, we are going to have  
17 value -- lesser value.

18                  Please, please.

19                  I mean, I happen to know the  
20 developments in the area, and we don't see  
21 that value. As it is, I don't know if you  
22 have been in that Publix shopping center  
23 right in front of Lakes on the Green. It's  
24 so crowded you cannot even find a parking  
25 space in there, at any time.

1                   MR. MAYOL: On that issue, if I  
2 may respond. Commercial services, you do  
3 have a 30 acre commercial site designated  
4 for the corner of 87 and Miami Gardens  
5 Drive. The hope would be that very soon  
6 there will be before you a proposal for  
7 commercial uses on that site to provide  
8 additional services in the area.

9                   CHAIRMAN BONSENOR: In addition to  
10 that, obviously you didn't -- somebody  
11 didn't do their homework when it comes to  
12 School Board and how many students are  
13 needed for this new community.

14                   The School Board is using a rule  
15 or a method that is old. It's like before  
16 the 1990. They have to use the updated one,  
17 and they are not using that one yet. It  
18 happened before in one of the other  
19 applications that we had.

20                   I don't know if in this method  
21 they used the newest one with the new  
22 census. They have to you use the existing  
23 one, the new one, not the old one.

24                   So basically the information that  
25 you are providing us is not correct, if they

1 used the newest ones -- if they used the old  
2 one, excuse me.

3 MR. MAYOL: They faxed over to the  
4 Planning Department on December 12th at  
5 12:48 p.m. an analysis which I'm assuming is  
6 accurate. I don't know what method they are  
7 using, but we rely on whatever analysis they  
8 perform. We don't do our own independent  
9 analysis.

10 CHAIRMAN BONSENOR: Last time we  
11 met with them, they said that the new system  
12 will not be in place until next year.

13 MR. MAYOL: Okay.

14 CHAIRMAN BONSENOR: Basically the  
15 information they are providing us when it  
16 comes to the volume of students that you're  
17 going to have, the impact, is inaccurate.

18 So how can you expect to prove  
19 something in this manner?

20 MR. MAYOL: Well, well --

21 CHAIRMAN BONSENOR: I'm talking to  
22 myself.

23 MR. MAYOL: I thought you were  
24 asking me questions, I'm sorry, I'm sorry.

25 CHAIRMAN BONSENOR: I cannot speak

1 for them.

2 MR. MAYOL: If I may respond to  
3 your question. You have very few  
4 applications, very few applicants or  
5 builders that come to you and same, I'm  
6 going to set aside land and I'm going to  
7 make sure that a school gets built. And if  
8 the school doesn't get built, I don't pull  
9 any more permits.

10 So this applicant is unique and  
11 has set a new precedent that very view  
12 applicants that come before you abide to.  
13 If more people did the same thing, then  
14 maybe we wouldn't have a problem in the  
15 schools.

16 CHAIRMAN BONSENOR: Any more  
17 questions?

18 MR. PEREZ: Somebody screamed out  
19 said we're getting paid. None of us are  
20 getting paid here. We all live in the  
21 community, in the area, we all get the same  
22 traffic problems. We all deal with it  
23 every day. The person who screamed out, I  
24 took it personally. We are getting paid?  
25 We are not getting paid, not one penny. We

1 all suffer and we all go through the same  
2 traffic, store problems every single day.

3 CHAIRMAN BONSENOR: Basically we  
4 are not doing this for the good of the  
5 money. There isn't any money.

6 I believe I don't have any more  
7 questions.

8 MR. MAYOL: Thank you.

9 CHAIRMAN BONSENOR: Mr. Serrano?

10 MR. SERRANO: No, nothing.

11 CHAIRMAN BONSENOR: Ms. Franklyn?

12 MS. FRANKLYN: No.

13 CHAIRMAN BONSENOR: Okay.

14 Are we ready for a motion?

15 MR. MCKAY: I'll make the motion  
16 that we deny the application.

17 MR. MAYOL: Mr. Chair, if I may,  
18 I've been instructed by the applicant to  
19 take one more plea in light of the --

20 MR. DRUCKER: Sir, sir, there's a  
21 motion on the floor.

22 CHAIRMAN BONSENOR: Please,  
23 please.

24 You said you will revisit this  
25 site and come up with an alternative.

1 MR. MAYOL: That is what we're  
2 trying to propose to you.

3 CHAIRMAN BONSENOR: Do I have a  
4 second?

5 MR. PEREZ: I'll second.

6 MS. FRANKLYN: I'll second.

7 CHAIRMAN BONSENOR: All those in  
8 favor say aye.

9 Against?

10 MR. DRUCKER: I think you should  
11 have a roll on this because I don't hear and  
12 I want to make sure you get an accurate  
13 vote.

14 Why don't you have the clerk call  
15 the roll.

16 CHAIRMAN BONSENOR: Yes, it's  
17 better.

18 MR. ROLLE: On the motion to deny  
19 this -- to deny without or with prejudice?

20 MR. MCKAY: Without prejudice.

21 CHAIRMAN BONSENOR: On the  
22 motion -- and is there a second? Ms.  
23 Franklyn?

24 MR. DRUCKER: Are you seconding  
25 that one without prejudice? Who seconded?

1 MR. PEREZ: I seconded.

2 MS. FRANKLYN: We both did at the  
3 same time.

4 MR. ROLLE: On the motion to deny  
5 any without prejudice.

6 Ms. Franklyn?

7 MR. GARCIA: Mr. Chair, if I may.  
8 I think that it's in order that another  
9 motion can be made to defer with conditions.

10 MR. DRUCKER: No. You have got a  
11 motion, that motion has to be voted on.  
12 Once that motion is voted on, depending upon  
13 the result, there might be a need for  
14 another one. But right now you have got a  
15 motion and a second. And we are calling the  
16 roll.

17 MR. ROLLE: Ms. Franklyn?

18 MS. FRANKLYN: In favor.

19 MR. ROLLE: Excuse me?

20 MS. FRANKLYN: In favor.

21 MR. ROLLE: I have a motion to  
22 deny. Yes or no please.

23 MS. FRANKLYN: Yes.

24 MR. ROLLE: Thank you.

25 Mr. Garcia?

1 MR. GARCIA: No.

2 MR. ROLLE: Mr. McKay?

3 MR. MCKAY: Yes.

4 MR. ROLLE: Mr. Perez?

5 MR. PEREZ: Yes.

6 MR. ROLLE: Mr. O'Dell?

7 MR. O'DELL: Yes.

8 MR. ROLLE: Mr. Serrano?

9 MR. SERRANO: No.

10 MR. ROLLE: Mr. Bonsenor?

11 CHAIRMAN BONSENIOR: Yes.

12 MR. ROLLE: Motion carries five to  
13 two.

14 CHAIRMAN BONSENIOR: Motion to  
15 adjourn.

16 (Thereupon, this hearing was  
17 concluded.)

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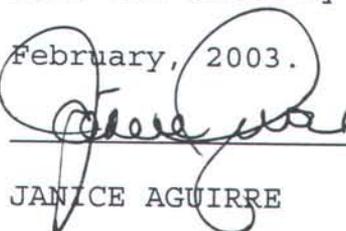
STATE OF FLORIDA)

COUNTY OF DADE )

I, JANICE AGUIRRE, Court Reporter and Notary Public in and for the State of Florida at Large, hereby certify that the foregoing transcript is a true and correct transcript of the CZAB MEETING OF December 12, 2002 taken before me at the time and place stated in the caption thereof.

I FURTHER CERTIFY that I am not of counsel to either of the parties hereto or otherwise interested in said cause.

IN WITNESS WHEREOF, I hereunto set my hand and affix my official seal this 17th day of February, 2003.

  
JANICE AGUIRRE



Janice Aguirre  
Commission # DD 046014  
Expires Aug. 24, 2005  
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Court Reporter & Notary Public  
My Commission Expires:  
August 24, 2005