

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2013-19

RESOLUTION OF THE CITY COMMISSION UPHOLDING THE APPEAL FILED BY JORGE ALVAREZ, REPRESENTING DADE MEDICAL COLLEGE, THE APPLICANT, APPLICATION NO. AB 12-11-0424, THEREBY OVERRIDING THE DECISION OF THE BOARD OF ARCHITECTS ("BOARD"), PURSUANT TO SECTION 5-1902 AND SECTION 5-1904 OF THE CORAL GABLES ZONING CODE IN CONNECTION WITH A BUILDING SIGN (DADE MEDICAL COLLEGE) LOCATED ABOVE THE SIXTH FLOOR OF THE BUILDING AT 95 MERRICK WAY.

WHEREAS, Jorge Alvarez, representing Dade Medical College, the applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Board of Architects at its regular hearing of Tuesday, November 15, 2012; and

WHEREAS, prior to the second meeting of the Board, City Staff met with Jorge Alvarez, the applicant in an effort to facilitate the incorporation of the comments and recommendations expressed by the members of the Board. On November 21, 2012, the applicant presented the first of these alternate solutions to the Board and the Board approved the design. However, after further consideration, the applicant decided not to pursue this option and resubmitted the original design; and

WHEREAS, on November 29, 2012, during the third meeting, the original design was reviewed again by the Board, and the applicant explained that he had considered the suggestions made by members of the Board, but that the proposed design best suited his desire for visibility from a distance. The Board at that time voted unanimously to deny the application; and

WHEREAS, on December 10, 2012, the applicant filed an appeal to the City Commission from the Board's decision; and

WHEREAS, on January 22, 2013, the City Commission heard the appeal, and was informed of an opinion by City staff that the proposed sign did not meet certain zoning requirements and requested that this issue be resolved before the appeal was heard. The applicant readjusted the size of the sign, thereby changing the size of the letters to 20" and reducing the length of the sign. The revised sign was reviewed for compliance and a zoning analysis done which was found to meet the zoning requirements; and

WHEREAS, on January 31, 2013, the applicant presented the revised sign to the Board, and at that time, two separate motions for approval failed including a motion to reduce the height of the letters to 18” to allow for enhanced spacing between the existing windows, and the Board took no further action regarding this matter; and

WHEREAS, the applicant pursued the appeal from the Board’s decision and this matter was heard by the City Commission on February 5, 2012; and

WHEREAS, a motion to uphold the appeal, thereby overriding the decision of the Board of Architects, was proposed by Vice Mayor Kerdyk and seconded by Commissioner Quesada, and upon a 5-0 vote, the City Commission approved said motion;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the appeal is hereby upheld and the decision of the Board of Architects is hereby overridden, and the design thereby approved.

SECTION 3. That the resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FIFTH DAY OF FEBRUARY, A.D., 2013.

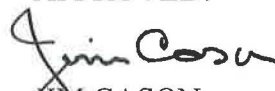
(Moved: Kerdyk / Seconded: Quesada)

(Yeas: Kerdyk, Quesada, Anderson, Cabrera, Cason)


(Unanimous 5-0 Vote)

(Agenda Item E-1)

APPROVED:


JIM CASON
MAYOR

ATTEST:


WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


CRAIG E. LEEN
CITY ATTORNEY