

**THE CITY OF CORAL GABLES BOARD OF ADJUSTMENT  
 JANUARY 7, 2013  
 CORAL GABLES CITY HALL, 405 BILTMORE WAY, COMMISSION CHAMBER  
 CORAL GABLES, FLORIDA**

The meeting was scheduled to be held in Coral Gables City Hall Commission Chamber, Coral Gables, Florida, commencing at 8:00 a.m.

**MEMBERS**

**J F M A M J J A S O N D APPOINTED BY:**

Alejandro Galvez	E	Mayor Jim Cason
Tony Bello, Vice Chair	P	Vice Mayor William H. Kerdyk, Jr.
Vivian De Las Cuevas-Diaz	P	Comm. Maria Anderson
Dr. Katherine De Blij	P	Comm. Rafael "Ralph" Cabrera, Jr.
Jorge Otero	P	Comm. Frank C. Quesada
Oscar Hidalgo	P	Board of Adjustment
Dr. Joseph W. Briggles, Chairperson	P	City Manager

**STAFF:**

Craig E. Leen, City Attorney  
 Ramon Trias, Planning & Zoning Director  
 Martha Salazar-Blanco, Zoning Official  
 Elizabeth Gonzalez, Secretary  
 Carlos Hernandez, Public Works Director  
 Joan Bailey, Court Reporter

A = Absent  
 C = Meeting Cancelled  
 E = Excused Absence  
 L = Late  
 P = Present

**THESE MINUTES DO NOT REQUIRE ANY ACTION BY THE CITY COMMISSION**

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The meeting was called to order at 8:02 a.m. by the Chairperson who announced that six board members were present at that time. Four votes are necessary for any action thereof.

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The Chairperson announced the following rules of procedure for the hearing:

1. Staff recommendation.
2. The applicant will present his/her case.
3. If there are speakers in favor of the application, they will be given the opportunity to be heard.
4. If there are speakers against the application, they will be given the opportunity to be heard.
5. The applicant will be given the opportunity of a rebuttal.
6. Public hearing closed.
7. Board members discussion.
8. Motion, second and a vote on the application.

**1. Roll Call**

Roll call was taken. Six members were present.

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**2. Approval of the December 3, 2012 Recap**

A motion was made by Mr. Bello, seconded by Mr. Hidalgo to approve the December 3, 2012 Recap. A resolution was passed by voice vote.

**RESOLUTION No. 5067-ZB**

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**3.**

A motion was made by Mr. Otero, seconded Mr. Bello to excuse the January 7, 2013 absence of Board Member Mr. Alejandro Galvez a resolution was passed by voice vote.

**RESOLUTION No 5068-ZB**

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**4.**

**BA-12-11-0683**

**(1 Alhambra Plaza)**

CORAL GABLES SEC L PB 8-85 LOTS 7 THRU 40 BLK 22 & 20FT OF ALLEY LYG BETW LOTS 11 THRU 15 & 20FT OF ALLEY LYG BETW LOTS 16 THRU 30 & S10FT OF ALLEY LYG N &

Tom Graboski – Applicant  
Coral Gables Associates– Owner

**APPLICANT'S PROPOSAL:**In connection with the proposed signage for the tenant “**Gibraltar Private Bank & Trust**”, in the existing commercial building at the subject property, the Applicant requests the following variances pursuant to the provisions of Ordinance No. 2007-01 as amended and known as the “Zoning Code.”

1. Grant a variance to allow one proposed detached sign to be installed on Minorca Avenue and one proposed detached sign on Galiano Street which contains the text “Gibraltar Private Drive Thru/ATM” vs. Detached signs will be permitted only upon premises zoned for commercial or industrial use and facing, abutting and fronting upon U.S. Route 1 (also known as South Dixie Highway) or upon Southwest Eighth Street as allowed by Section 5-1905 (A) of the Coral Gables “Zoning Code.”

**BOARD OF ARCHITECTS REVIEW:** All as shown on plans which have received Final approval by the Board of Architects on November 13, 2012.

**ADVERTISING:** This application was advertised in the Miami Daily Business Review on December 27, 2012. Letters were mailed to properties within one thousand feet of the subject property and the property was posted on December 27, 2012.

**STAFF OBSERVATION:** Item No. 1 is a variance request to allow two detached signs. The Zoning Code is specific in only allowing detached signs to be installed on commercial or industrial use properties located on South Dixie Highway or upon Southwest Eighth Street. This property is located on Alhambra Plaza and Galiano Street bounded on the north by Minorca Avenue.

After review of the plans presented, Staff finds the Applicant has not presented adequate unnecessary hardship and does not meet the required seven Standards for Variances as noted below.

**STAFF RECOMMENDATION:** Pursuant to **Section 3-806 STANDARDS FOR VARIANCES** of the "Zoning Code," the Zoning Division Staff finds and the Board of Adjustment shall find as follows in regard to the Applicant's proposal as presented in their application for a variance from the provisions of Ordinance No. 2007-01, as amended and known as the "Zoning Code," and makes the following recommendations:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

*Staff cannot find any unusual conditions or circumstances which are exclusive to this property. There are numerous businesses which would welcome the use of detached signs in order to identify their business, however they have not been allowed due to their locations outside of the required parameters as set by the Zoning Code.*

2. That the special conditions and circumstances do not result from the actions of the Applicant.

*Special conditions and circumstances do not result from the actions of the Applicant; however approving the requested variance would not be consistent with the purposes and objective of the Zoning Codes regulations.*

3. That granting the variance requested will not confer on the Applicant a special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.

*Granting the variance will confer a special privilege not enjoyed by that of adjoining property owners in the same zoning district.*

4. That literal interpretation of the provisions of these regulations would deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations, and would work unnecessary and undue hardship on the Applicant (see also definition of “necessary hardship”).

*Literal interpretation of the Zoning regulations would not deprive the Applicant of rights commonly enjoyed by other properties in the same zoning district. Similar requests have been made for the installation of detached signage outside of the allowable locations as regulated by the Zoning Code. Staff has consistently recommended against approval.*

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

*The bank facility is permitted to install building wall signs which would identify the business.*

6. That granting the variance will not change the use to one that is not permitted in the zoning district or different from other land in the same district.

*Granting the variance requested will not change the use to one that is not permitted in the zoning district.*

7. That the granting of the variance will be in harmony with the general intent and purpose of these regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

*The proposed detached signage will not be consistent with the general intent and purposes of the Zoning Code’s regulations.*

Based on the findings in paragraphs 1 through 7 above, the Zoning Division Staff recommends **DENIAL** of Item No. 1 of the Applicant’s request.

A motion was made by Dr. De Blij and seconded by Mr. Bello to deny the Applicant’s request.

**RESOLUTION No. 5069-ZB**

A RESOLUTION DENYING A REQUEST FOR A VARIANCE TO  
ORDINANCE No 2007-01 AS AMENDED AND KNOWN AS THE  
“ZONING CODE”, TO WITH:

1. Grant a variance to allow one proposed detached sign to be installed on Minorca Avenue and one proposed detached sign on Galiano Street which contains the text “Gibraltar Private Drive Thru/ATM” vs. Detached signs will be permitted only upon premises zoned for commercial or industrial use and facing, abutting and fronting upon U.S. Route 1 (also known as South Dixie Highway) or upon Southwest Eighth Street as allowed by Section 5-1905 (A) of the Coral Gables “Zoning Code.”

A Resolution was passed and adopted due to the following roll call: “Yeas, Mr. Hidalgo, Dr. De Blij, Mr. Bello, Dr. Briggie. “Nays”- Mr. Otero, Mrs. De Las Cuevas-Diaz.

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Meeting adjourned at 8:58 a.m.

THE CITY OF CORAL GABLES  
BOARD OF ADJUSTMENT

Elizabeth Gonzalez  
Secretary