

Edmund J. Zaharewicz  
Cecilia M. Danger  
649 Palmarito Ct  
Coral Gables, FL 33134

January 11, 2021

City Commission  
c/o City Clerk  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, FL 33134

**Grounds for Appeal  
from Decision of Historic Preservation Board  
to Designate the Property at 649 Palmarito Court as a Local Historic Landmark**

Dear Mr. Mayor, Mr. Vice Mayor and Commissioners:

As the owners of the property located at 649 Palmarito Court (the "Property"), we write to appeal the decision of the Historic Preservation Board (the "Board") at its meeting on December 16, 2020, to designate the Property as a local historic landmark. If this decision is left to stand, we will be deprived not only of the value of the Property, but also of our right to build and enjoy a new family home, the plans for which have already been approved by the Board of Architects and the Zoning Department. Those plans were thoughtfully made to preserve the overall character of the Property, including its coveted open spaces, in a manner befitting the architectural heritage of the City of Coral Gables (the "City"). See Ex. A (new house elevations and site plan). Designation unfairly imposes on us costs and burdens not borne by other City residents who also happen to own an "old" house and makes us unwilling stewards of a property that we have amply demonstrated is of no historic significance.

The current house at the Property is essentially a two-story box with living spaces surrounding a central staircase and windows placed symmetrically on the front facade. Houses such as this have been built in the United States for literally hundreds of years. The house is also small and unaccommodating of modern modes of living. Mem. in Opp. at 2-3.<sup>1</sup> Its one "notable" feature is a columned Portico, which is repeated nearly identically in no less than four nearby properties.

The Property is located at the corner of two little-travelled side streets in an area of the City that has seen ad hoc development and improvements of existing homes for the entire life of the City. Id. at 4 and 7-8. In recent years, the Staff has allowed after "careful research and study" no fewer than five comparable properties within two blocks of the Property -- including

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<sup>1</sup> Owners' Memorandum in Opposition to Designation of 649 Palmarito Court, dated December 10, 2020.

one built in the same architectural style as the Property -- to be demolished and rebuilt in popular styles of today. See Ex. B (locations and values of comparable properties).

The staff of the Historic Resources & Cultural Art Department (the "**Staff**"), in its designation report regarding the Property (the "**Report**" or "**Rpt.**"), extols the life of wealthy New York native real estate investor and developer George Batcheller who, among other things, built "spec homes" in the area of the Property, including the Property in 1940. The Property was designed by William Shanklin who in the same year designed another house in the same area as a near carbon copy of the Property. Batcheller and others of his time are noted in the Report for building houses during the New Deal era in a variety of nationally popular styles -- "predominantly Neoclassical, Minimal Traditional and masonry vernacular." Rpt. at 9.

The Report's principal claims are that the Property:

- Exemplifies the City's home-building trends during the New Deal era;
- Portrays the City's New Deal era environment, which was characterized by more than one distinctive architectural style; and
- Is a significant example of a Neoclassical home.

These claims are purportedly based on criteria A.4, B.1 and B.2 of Zoning Code Section 3-1103, respectively.

As more fully discussed below, the Board's decision to designate of the Property should be overturned because:

- The final public hearing was not held within the 60-day time period required by Zoning Code Section 3-1107.G;
- We were not given notice of the designation criteria claimed to be met until five days before the December 16 Board meeting in violation of our due process rights;
- The Board designated the Property without making a determination of which of the designation criteria the Board actually deemed to be met; and
- The Property meets none of the criteria claimed to be met by the Staff.

#### **The Board's Decision Was Not Made Within the Time Allowed under Section 3-1107.G**

This matter is before the City Commission pursuant to Section 3-1107.G, which requires that all demolition permits for non-designated buildings be approved by the Historic Preservation Officer (the "**Preservation Officer**"). This section allows the Preservation Officer to require review by the Board, **but only if** the Preservation Officer has first determined that the building to be demolished is eligible for designation. Section 3-1107.G further provides that the Preservation Officer's determination is preliminary and the final public hearing before the Board on the matter "**shall be**" within 60 days from the Preservation Officer's determination. See Ex. C (text of Section 3-1107.G).

Pursuant to Section 3-1107.G, we applied for a “letter of historic significance” on August 27, 2020. Ex. D (application). The Preservation Officer advised by letter dated October 2, 2020 (Ex. E) that the Property “has been scheduled for historical significance review by the [Board]” at a meeting on October 21, 2020, while claiming by email of the same date that the meeting was only for the Staff to request “the Board’s input on the historic significance of the property.” Ex. F (email). As a quasi-judicial body, the Board is constitutionally prohibited from consulting with parties on matters that are before the Board for designation. Nevertheless, at the October 21 meeting, the Preservation Officer stated that the Staff believed the Property “is potentially historically significant”. Oct. 21 HPB Mtg Transcript (Ex. G) at 7. The Board then directed the Preservation Officer to prepare a full report. The Preservation Officer later advised us by letter dated October 26, 2020, that the Board would conduct a public hearing at its meeting on December 16, 2020. Ex. H (letter).

Because the Preservation Officer cannot require a Board review unless the Preservation Officer has made a determination that the Property is eligible for designation, the mandatory 60-day period began no later than October 2 when the Preservation Officer advised us that the Property had been scheduled for review by the Board and expired no later than December 1 -- more than two weeks before the final public hearing on this matter.

On December 3, the Preservation Officer offered to defer the hearing until the Board’s next meeting in January. In an email exchange on December 5, we advised the City of our rights under Section 3-1107.G and offered to defer on condition that the deferment be without prejudice to our rights. In reply, the Assistant City Attorney advised that the City would agree to a deferment only if we waive our rights. Ex. I (emails). We refused to waive our rights and participated in the December 16 meeting subject to our objection that the final public hearing on this matter was not held within the time required by Section 3-1107.G.

The City claims that “the eligibility decision to move forward with designation . . . occurred on October 21, 2020 when staff requested preliminary input from the Board before making a determination of eligibility”. Dec. 5 Email from Asst. City Atty (Ex. I). This claim has no merit. Because the Preservation Officer advised on October 2 that the Property had been scheduled for review by the Board, which could not be lawfully done unless the Preservation Officer had first made a determination of the Property’s eligibility for designation, the City is legally estopped from claiming that the Preservation Officer had not made the required determination at or before the time she scheduled the Property for Board review.

### **Designation by Ambush The Board’s Decision Violates Our Right to Due Process**

Faced with the loss of substantial property rights, we were entitled to notice reasonably calculated to apprise us of the Staff’s claims of historic significance and to afford us a fair opportunity to present our objections. The Staff gave no notice of its grounds for designation when the Preservation Officer notified us on October 2 that the Property had been scheduled for

Board review. In reply to an October 7 email asking the Preservation Officer to identify the criteria upon which she was claiming historic significance, we received a non-response. See Ex. J (email). Nor did the Staff give notice of its grounds for designation after the October 21 meeting when the Staff, by the City staff's own account, supposedly first determined the Property was eligible for designation. Rather, we did not receive any notice whatsoever of the Staff's actual claims until Friday, December 11, when the Staff first delivered its 31 page designation report five days before the December 16 meeting -- a mere three days' notice excluding the weekend. Such notice did not constitute due process and was obviously calculated to allow us as little time as possible to prepare for the public hearing.

**The Board's Designation of the Property Is Invalid and Arbitrary Because the Board Failed to Determine Which of the Designation Criteria Were Met**

Zoning Code Section 3-1104.C.3 provides that "If after a public hearing the Board finds that the proposed local historic landmark . . . meets the criteria set forth in Section 3- 1103, it shall designate the property as a local historic landmark . . ." Section 3-1103 provides that the "eligibility of any potential local historic landmark . . . shall be based on meeting one (1) or more" of twelve enumerated criteria. Thus, in order for the Board to designate the Property, the Board was required by law to first determine which specific "one or more" of the criteria were met. The Board cannot simply designate a property without first agreeing as a Board which of the specific criteria were met. This is particularly important where, as here, the Staff claims that more than one of the criteria are met. Because the Board failed to determine by "the affirmative vote of a majority of the full Board" which of the designation criteria the Board actually deemed to be met, the Board's Designation is invalid and arbitrary.

**The Board's Designation of the Property Under Criteria A.4 and B.1 Is Unlawful and Arbitrary**

The Report claims that the Property is of historic significance under Section 3-1103.A.4, which applies only if the Property "Exemplifies the historical, cultural, political, economic, or social trends of the community." This claim fails because no single property can possibly satisfy the criteria of Section 3-1103.A.4. While it is certainly possible to claim that a particular trend is exemplified by some set of specific properties, it makes no sense whatsoever to claim that a single property can exemplify a trend. The Property was not designated as a contributing property to a historic landmark district or other multiple property designation. Moreover, the Report describes the Property as one of "approximately seven hundred homes" that, collectively, exemplify the same trends, yet the Report recommended only the Property for designation. Rpt. at 6. In addition, if the Board truly had the power to designate a single property as exemplifying community trends, the Board's power to designate individual properties would be limitless. Indeed, every property in the City older than 50 years undoubtedly can be characterized as being the product of one or more of "the historical, cultural, political, economic, or social trends of the community." The Board has no such power and its designation of the Property under Section 3-1103.A.4 is unlawful and arbitrary.

The Report also claims that the Property is of historic significance under Section 3-1103.B.1 because the Property “portrays” the City’s New Deal era environment, which was characterized by more than one distinctive architectural style. Just as no single property can “exemplify” a trend, no single property can “portray” a historical “environment” -- particularly one characterized **by more than one distinctive architectural style**. Based on the Report, such an environment would be characterized by a few 1920 era homes and an assortment of homes in predominantly “Minimal Traditional, Neoclassical and masonry vernacular styles along with a few Art Moderne and early Traditional Custom Ranch houses.” Rpt. at 6. It is flatly absurd to claim that the Property alone can portray so much. The Board’s designation of the Property under Section 3-1103.B.1 is likewise unlawful and arbitrary.

**The Property Is Not a Significant Example  
of a Neoclassical Home under Criteria B.2**

To satisfy the requirements of criteria B.2, the Property must “embody” “those distinguishing characteristics of an architectural style. . . .” The Report claims that the Property exhibits the “hallmark” characteristics of the Neoclassical style consisting principally of (i) a full-height porch supported by columns, (ii) symmetrically balanced front windows, and (iii) an “elaborate” front doorway.

The reality is that the Property is undistinguished in its every detail. See Ex. D (photos of Property). First, the Property’s portico lacks the one true hallmark of the Neoclassical style -- columns built in proportion to one of the several ancient Greek and Roman prototypes known as the “classical orders.”<sup>2</sup> Its slender columns are ill-proportioned and unadorned in contrast to columns built, for example, to the Ionic or Corinthian orders typical of true Neoclassical homes. See Ex. K (proportions of Ionic and Corinthian orders). Moreover, the portico was and is essentially a cosmetic, off-the-shelf design element. Nearly identical porticos appear in no less than four nearby properties. Ex. L (similar porticos). Without a decorative crown (pediment) and pilasters, the Property’s front doorway is also not “elaborate.” Ex. M (example of “elaborate” door). Thus, not even this claimed hallmark is met. In addition, the same brick steps, fanlight, sidelights, and the same door and window details, layout, and proportions are repeated cookie-cutter-like nearby in another Shanklin designed home at 3402 Toledo St. See Ex. N (comparison of Property and 3402 Toledo St.). Those are not the hallmarks of a historically significant house; those are the hallmarks of a developer more interested in his profit than adherence to a true architectural style. Such a property does not merit “historic” status.

The Report also attempts to attach significance to the Property by repeatedly claiming that the Property is located on a “prominent corner”. Rpt. at 1, 5, 6 and 11. The reality is that the Property (10,500 sq ft) lacks both the prominence of location and the grandeur of scale typically associated with “Neoclassical” homes such as those at 3701 Segovia St (17,100 sq ft), 3600 Granada Blvd (47,500 sq ft), and 3502 Alhambra Cir (23,120 sq ft). Each of these homes

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<sup>2</sup> Neoclassicists “rarely presumed to distort the proportions of the classical orders except in the subtlest way.” Baker, John Milnes, “American House Styles A Concise Guide” (The Country Press 2018).

sits on a handsomely sized lot along one of the City's most storied and frequently travelled thoroughfares, the very essence of prominence. The Property shares none of these attributes. See Ex. O (comparison of Property with other "Neoclassical" homes).

The Report further attempts to support its claims of historic significance with a clutter of other information. For example, the Report asserts that the Property "was one of the earliest Neoclassical style residences in the City and represents a breaking away from the city's Mediterrean Revival foundation and the launching of a new chapter in Coral Gables architectural history." Rpt. at 11. It also attempts to associate the Property with such presumably "notable" persons as owner/builder George Batcheller, designer/architect William Shanklin, and former City residents George and Minnie Simpson, who purchased the Property from Batcheller. None of this information is relevant to whether, pursuant to criteria B.2, the Property "embodies those distinguishing characteristics of an architectural style."

When all is said and done, the crux of the Report is that the Property is "old" and has a full-height porch supported by columns and symmetrically balanced front windows. The Property is one of hundreds of houses in the City that have these characteristics. Is the City going to designate all of these properties on such a basis? Or will it be satisfied just to designate our Property arbitrarily?

Not even the Staff believes its own claims in this case. This is evident from the Staff's issuance of a letter of historic significance with respect to 730 Escobar Ave. Ex. P (letter). Unlike the Property, this "Neoclassical" home actually met all three of the hallmark characteristics claimed by the Staff here: it had a full-height porch supported by columns, symmetrically balanced, shutter-flanked front windows, and an actual elaborate front doorway. On top of that, this house sat on a corner lot twice the size of the lot on which the Property sits and was designed by "notable" architect Curtis E. Haley who, as the designer of 3600 Granada Blvd (noted above, see Ex. O), was well-versed in Neoclassical design. See Ex. Q (photo 730 Escobar Ave). Nevertheless, the Staff found -- "after careful research and study" -- that this house did not meet any of the criteria for designation. To claim the Property is "significant," but 730 Escobar Ave was not significant, simply cements the arbitrary nature of the Staff's Report and the Board's decision to designate the Property.

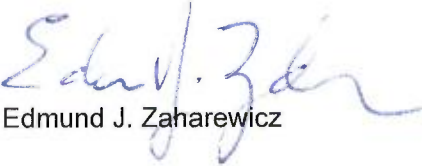
Lastly, it was highly prejudicial to our rights to a fair hearing for the Staff to instruct the Board that the Property could not be considered in comparison to other properties. There is no such rule limiting what the Board may consider. For example, if the Staff can repeatedly claim that the Property is located at a "prominent corner," it is certainly fair for us to show by comparison to other properties that this is not actually the case. Likewise, any determination by the Staff not to seek designation of a comparable property like 730 Escobar Ave is obviously highly credible evidence that the same determination should be made in our case. It also helps to ensure that similarly situated City residents are treated fairly and equally, rather than arbitrarily as in this case.

**Conclusion**

For the reasons above, we respectfully request the City Commission to:

- (i) overturn the decision of the Historic Preservation Board to designate the Property, and
- (ii) direct the Historic Preservation Officer to issue a letter of historic significance or other approval that would allow us to proceed with our plans to build a new family home.

Respectfully submitted,



Edmund J. Zaharewicz

Encl.

cc: The Honorable Raúl Valdés-Fauli, Mayor of Coral Gables (via email)  
The Honorable Vince Lago, Vice Mayor of Coral Gables (via email)  
Commissioner Jorge L. Fors, Jr. (via email)  
Commissioner Patricia Keon (via email)  
Commissioner Michael Mena (via email)  
Kara Kautz, Historic Preservation Officer (via email)  
Gustavo Ceballos, Assistant City Attorney (via email)

EXHIBIT A



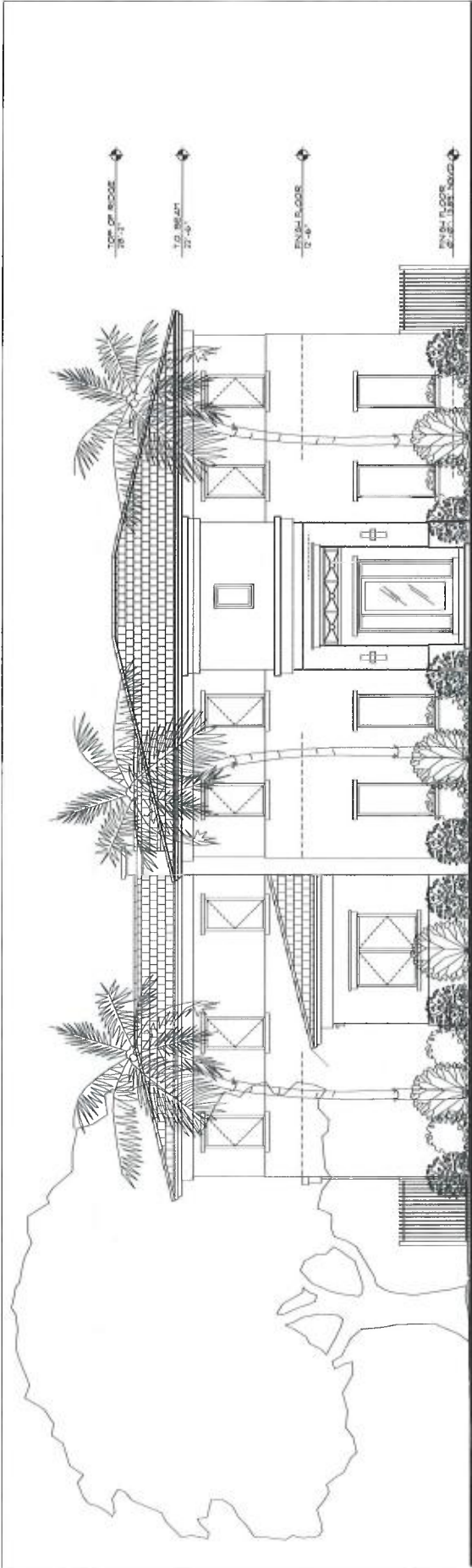
Revisions  
 1-18-2020  
 J.C.D.

PROPOSED NEW SINGLE-FAMILY RESIDENCE:  
 ZAHAREWICZ RESIDENCE  
 649 PALMARTO COURT  
 CORAL GABLES, FL 33134

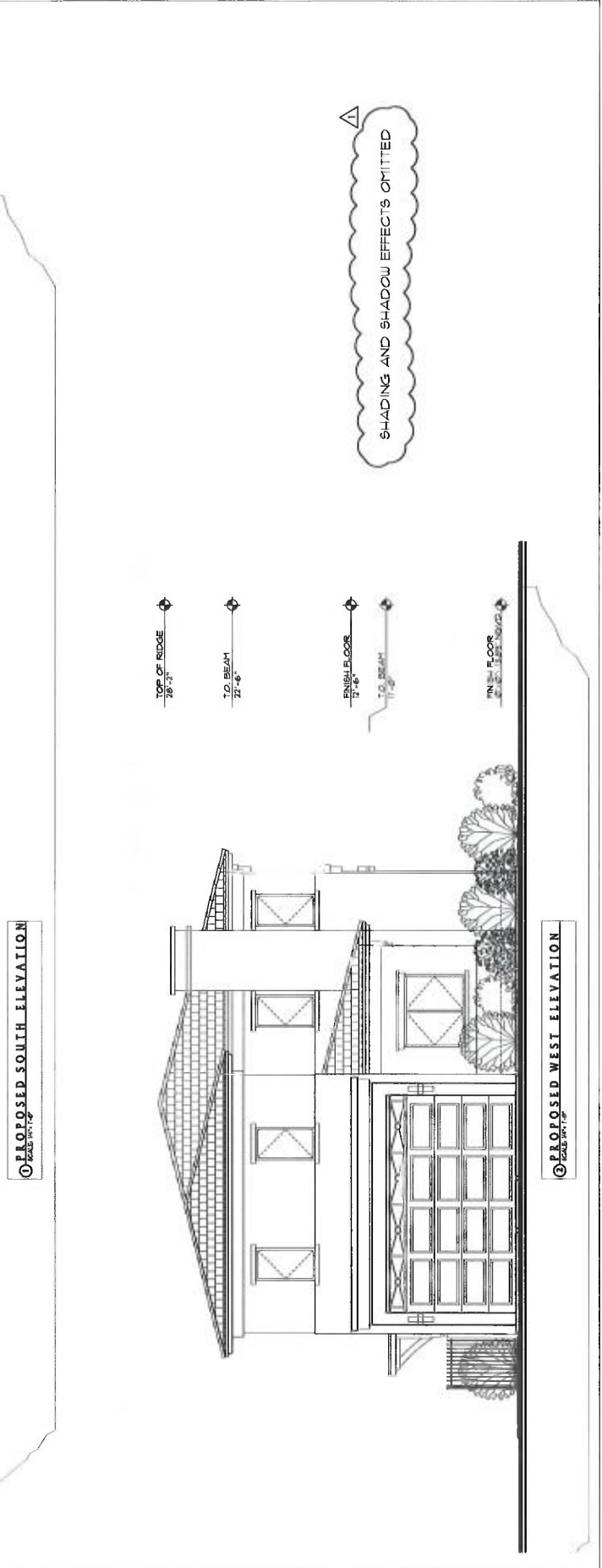
**J.C.D. ARCHITECT, Inc.**  
 LEAD ACCREDITED PROFESSIONAL  
 Design & Development  
 Architects Planners  
 Interior Designers  
 Construction Administration

J.C.D. ARCHITECT, Inc.  
 Job No. 19-016  
 Date: 09-28-20  
 Scale: SHOWN

Sheet: AA-26001560  
 Sheet No. A-200



PROPOSED SOUTH ELEVATION



PROPOSED WEST ELEVATION

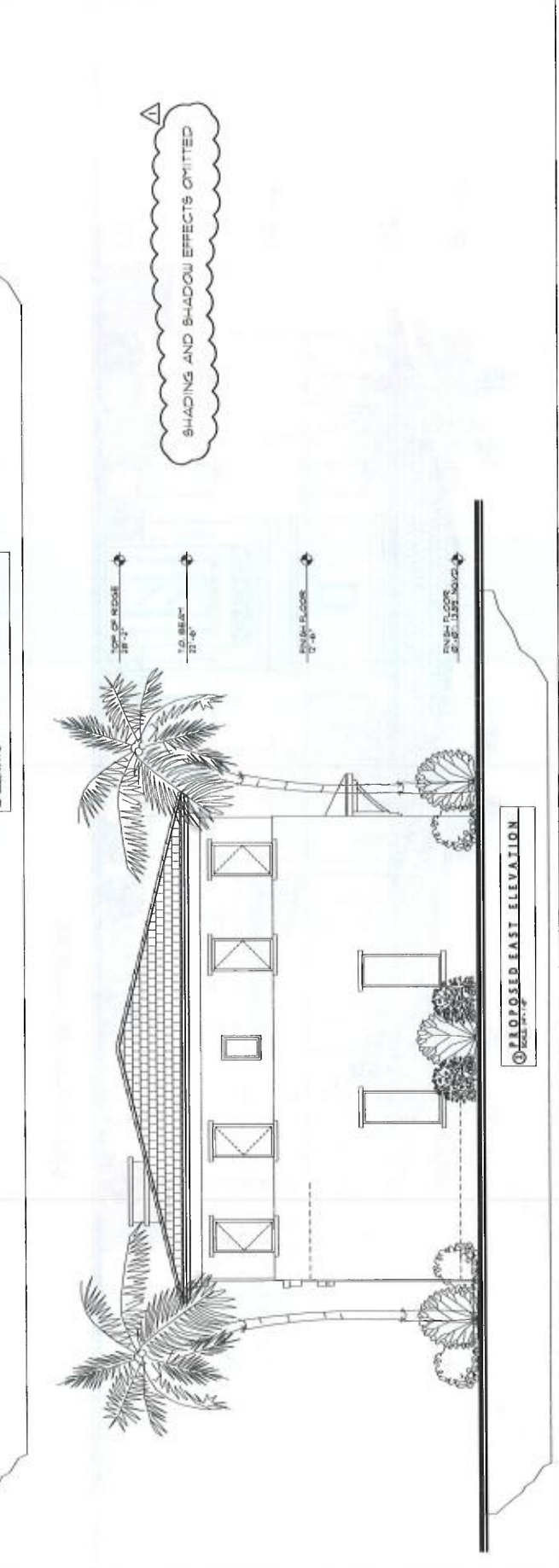
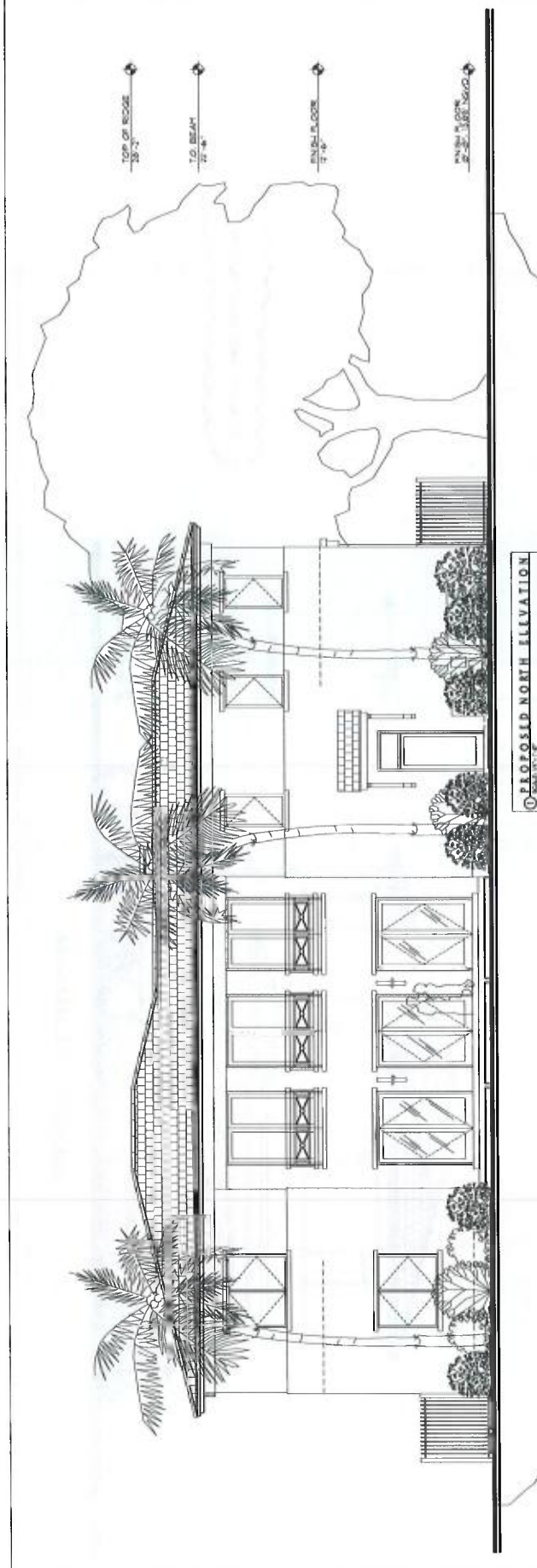




EXHIBIT B



**Locations and Values of Comparable Properties**

730 Escobar Ave, 740 Escobar Ave, 731 Escobar Ave, 637 Aledo Ave, 3510 Segovia St  
 Within two blocks of 649 Palmarito Ct

EXHIBIT C

## Section 3-1107.G

- G. All demolition permits for non-designated buildings and/or structures must be approved by the Historic Preservation Officer or designee. The approval is valid for eighteen (18) months from issuance and shall thereafter expire and the approval is deemed void unless the demolition permit has been issued by the Development Services Department. The Historic Preservation Officer may require review by the Historic Preservation Board if the building and/or structure to be demolished is eligible for designation as a local historic landmark or as a contributing building, structure or property within an existing local historic landmark district. This determination of eligibility is preliminary in nature and the final public hearing before the Historic Preservation Board on Local Historic Designation shall be within sixty (60) days from the Historic Preservation Officer determination of "eligibility." Consideration by the Board may be deferred by mutual agreement by the property owner and the Historic Preservation Officer. The Historic Preservation Officer may require the filing of a written application on the forms prepared by the Department and may request additional background information to assist the Board in its consideration of eligibility. Independent analysis by a consultant selected by the City may be required to assist in the review of the application. All fees associated with the analysis shall be the responsibility of the applicant. The types of reviews that could be conducted may include but are not limited to the following: property appraisals; archeological assessments; and historic assessments.

EXHIBIT D



Edmund J. Zaharewicz  
649 Palmarito Ct  
Coral Gables, FL 33134

August 27, 2020

The City of Coral Gables  
Historical Resources and Cultural Arts Department  
2327 Salzedo Street, 2nd Floor  
Coral Gables, FL 33134

Re: Request for "Letter of Historic Significance"  
Lots 18 and 19, Block 139, of: "CORAL GABLES COUNTRY CLUB SECTION SIX"  
Located at 649 Palmarito Ct, Coral Gables, FL 33134  
Folio No. 03-4117-004-2211

Dear Ladies and Gentlemen:

I would like to know if 649 Palmarito Ct (Lots 18 and 19, Block 139, Coral Gables Country Club Section Six) is historically significant. Enclosed are:

- Survey of the lots in question
- Color photographs of the site and structure in question
- Check for the \$761.25 processing fee
- Application

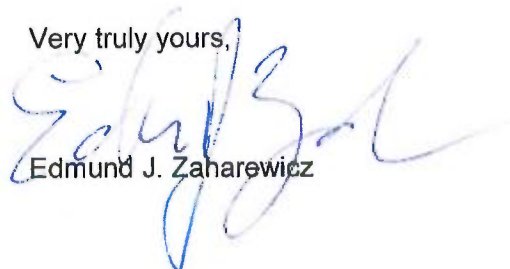
I do not desire or seek any designation. This request is made pursuant to City requirements for a total demolition permit.

Kindly confirm that the property at 649 Palmarito Ct does not meet the minimum eligibility criteria for designation.

Do not hesitate to contact me if you have any questions or require additional information.

Thank you.

Very truly yours,



Edmund J. Zaharewicz

Encl.

CITY OF CORAL GABLES  
HISTORIC SIGNIFICANCE REQUEST  
OF ANY STRUCTURE

Re-Issue

**PROPERTY INFORMATION:**

Folio Number: 03-4117-004-2211  
Property Address: 649 Palmarito Ct, Coral Gables, FL 33134  
Legal Description: Lots 18 and 19, Block 139, of: "CORAL GABLES COUNTRY CLUB SECTION SIX", according to the Plat Thereof as Recorded in Plat Book 20, Page 1, of the Public Records of Miami-Dade County, Florida  
Original Date of Construction: (Not known to Applicant)  
Original Architect(s): (Not known to Applicant)

**OWNER INFORMATION:**

Owner: Edmund J Zaharewicz & W Cecilia M Danger  
Mailing Address: 649 Palmarito Ct, Coral Gables, FL 33134  
*(Please be sure to include City and Zip Code)*  
Phone number(s): 305.347.6932 (work); 305.804.3303 (cell); 305.441.6685 (home)  
E-mail: ezaharewicz@gmail.com

**CONTACT INFORMATION:**

Applicant Name: Edmund Zaharewicz  
Mailing Address: 649 Palmarito Ct, Coral Gables, FL 33134  
*(Please be sure to include City and Zip Code)*  
Phone number(s): 305.347.6932 (work); 305.804.3303 (cell); 305.441.6685 (home)  
E-mail: ezaharewicz@gmail.com

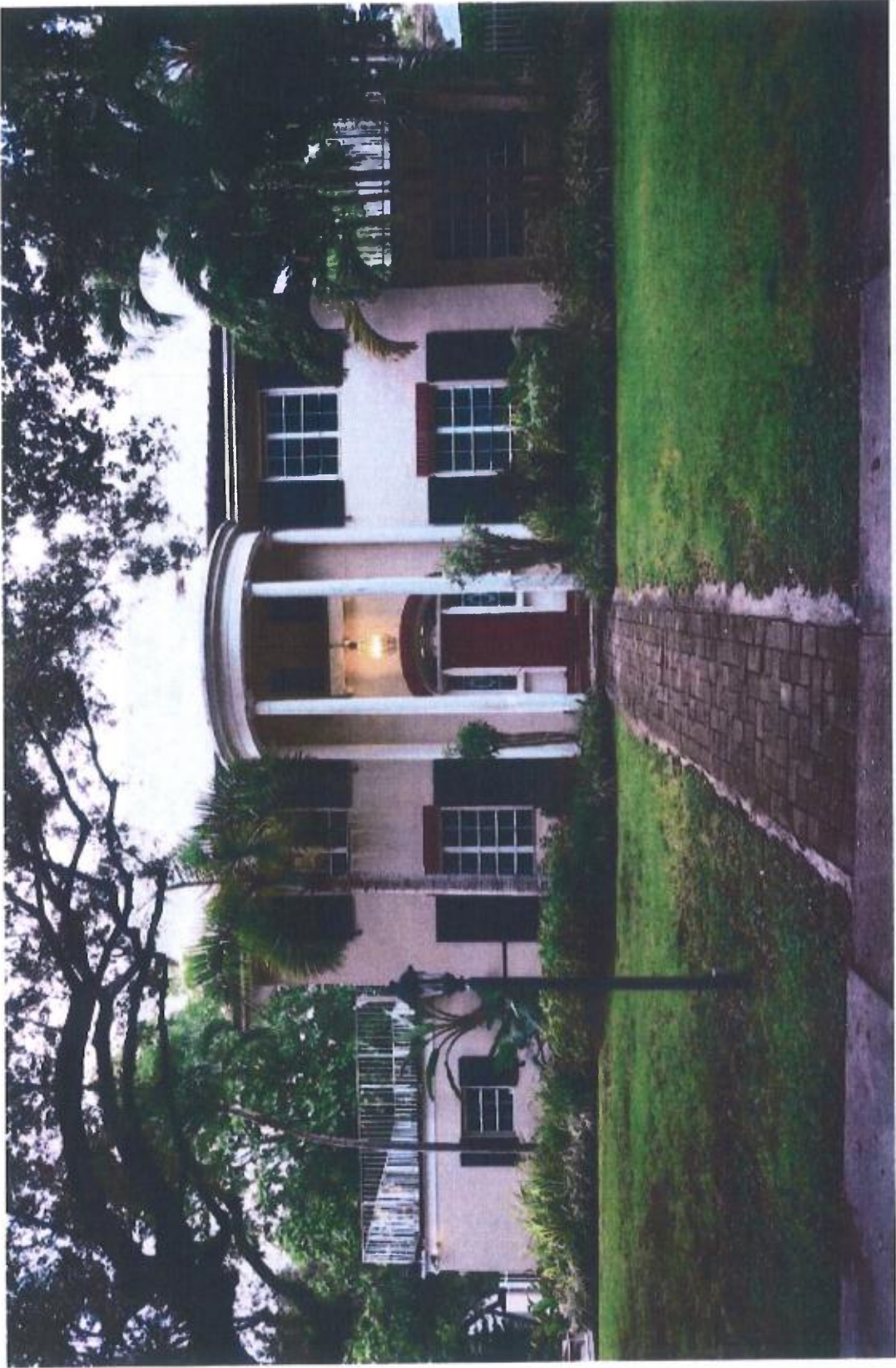
*-Staff Use Only-*

EDEN SYSTEM PERMIT #: \_\_\_\_\_

Determination: The property  does not meet  does meet the minimum eligibility criteria for designation as a local historic landmark at the present time.

*Note: The Historical Resources staff will require review by the Historic Preservation Board if the building to be demolished is considered eligible for local designation. Any change from the foregoing may only be made upon a demonstration of a change in the material facts upon which this determination was made. Please be advised that this determination does not constitute a development order.*

**\*\*PLEASE NOTE:** Section 3-1107(g) of the Coral Gables Zoning Code states that "All demolition permits for non-designated buildings and/or structures must be approved by the Historic Preservation Officer or designee. The approval is valid for eighteen (18) months from issuance and shall thereafter expire and the approval is deemed void unless the demolition permit has been issued by the Development Services Department. The Historic Preservation Officer may require review by the Historic Preservation Board if the building and/or structure to be demolished is eligible for designation as a local historic landmark or as a contributing building, structure or property within an existing local historic landmark district. This determination of eligibility is preliminary in nature and the final public hearing before the Historic Preservation Board on Local Historic Designation shall be within sixty (60) days from the Historic Preservation Officer determination of "eligibility." Consideration by the Board may be deferred by mutual agreement by the property owner and the Historic Preservation Officer. The Historic Preservation Officer may require the filing of a written application on the forms prepared by the Department and may request additional background information to assist the Board in its consideration of eligibility. Independent analysis by a consultant selected by the City may be required to assist in the review of the application. All fees associated with the analysis shall be the responsibility of the applicant. The types of reviews that could be conducted may include but are not limited to the following: property appraisals; archeological assessments; and historic assessments."



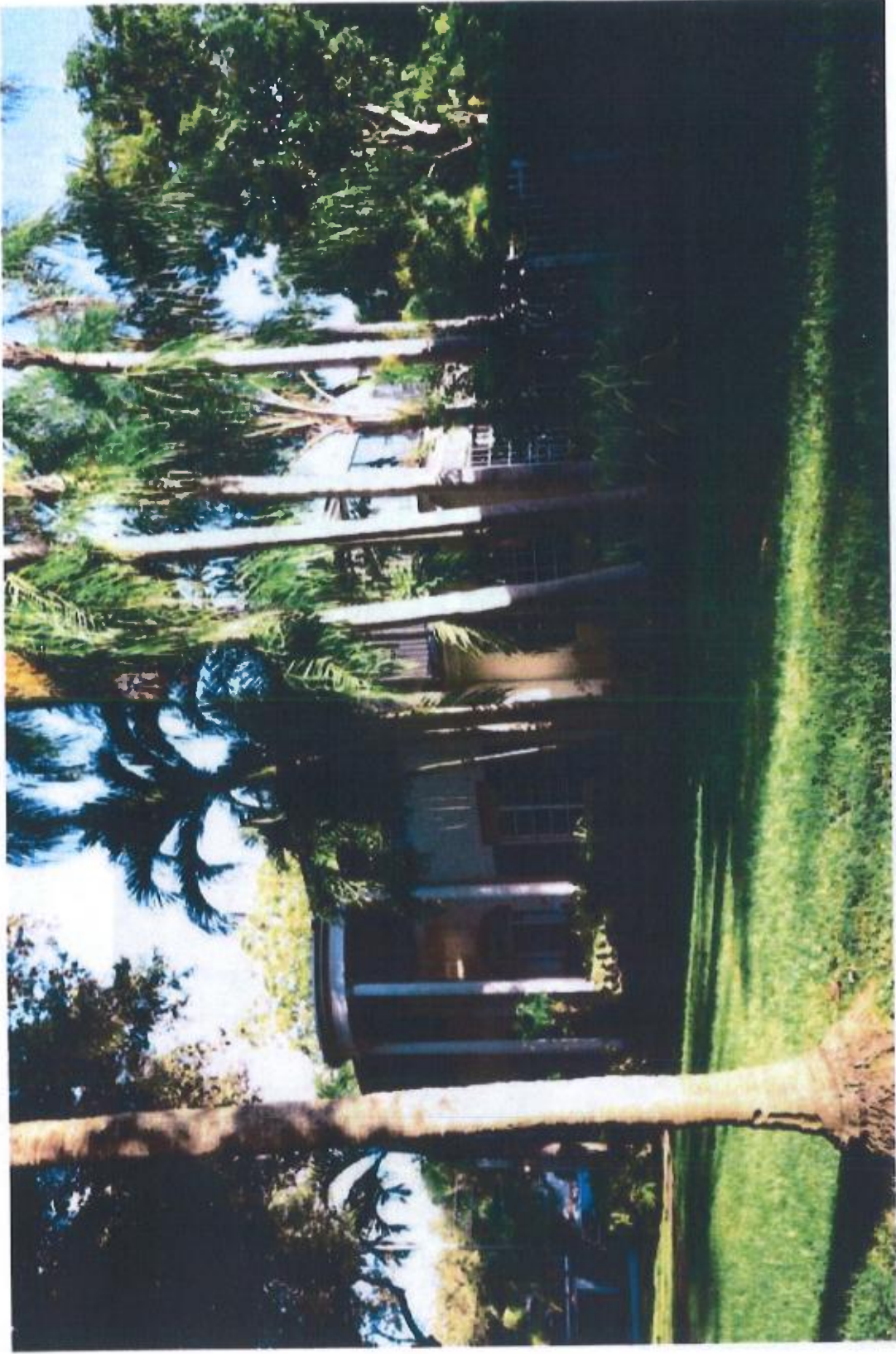
Front



Front West Side



Front Southwest Side



Front Southeast Side



West Side



Back West Side





Back West Side



Back Northwest Side



East Side



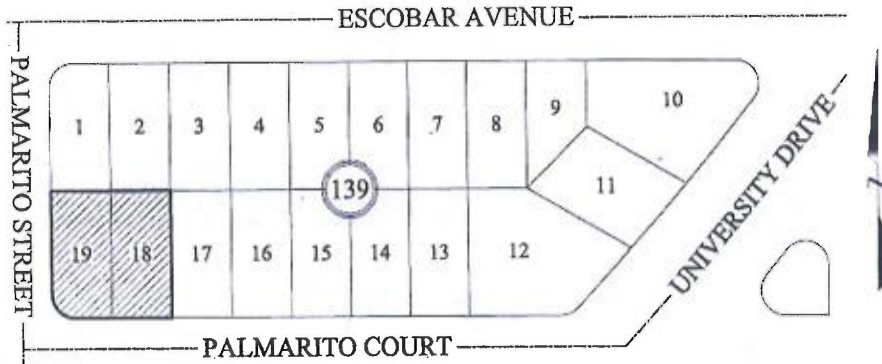
Back East Side



Back Northeast Side



Back East Side



**PROPERTY ADDRESS:**

649 Palmarito Court  
Coral Gables, Florida 33134

**SURVEYOR NOTES:**

- #1 Lands Shown Hereon were not abstracted for Easement and/or Right of Way Records. The Easement / Right of Way that are shown on survey are as per plat of record unless otherwise noted.
- #2 Benchmark: Miami-Dade County Public Works Dep. N/A
- #3 Bearings as Shown hereon are Based upon Palmarito Court, N89°35'09"E
- #4 Please See Abbreviations
- #5 Survey is incomplete Without Sheet 2 of 2
- #6 Drawn By: A. Torres Date: 09-27-2019
- #7 Complete Field Survey Date: 09-26-2019
- #8 Disc No 2019, Station Surveying Scion
- #9 Last Revised:
- #10 Legal Description Furnished by client.
- #11 This Certification is only for the lands as described. It is not a certification of Title, Zoning, Easements, or Freedom of Encumbrances. ABSTRACT NOT REVIEWED.
- #12 There may be additional Restrictions not shown on this survey that may be found in the Public Records of Miami-Dade County, examination of ABSTRACT OF TITLE will have to be made to determine record instruments, if any affecting this property.
- #13 ACCURACY: The expected use of the land, as classified in the Standards of Practice (51-17.052), is "Residential". The Minimum relative distance accuracy for this type of boundary survey is 1 foot in 10,000 feet. The accuracy obtained by measurement and calculation of a closed geometric figure was found to exceed this requirement.
- #14 Foundations and/or footings that may cross beyond the boundary lines of the parcel herein described are not shown hereon.
- #15 Not Valid without one signature and the original raised seal of a Florida Licensed Surveyor and Mapper. Additions or deletions to Survey maps or reports by other than the signing party or parties is prohibited without written consent of the signing party or parties.
- #16 Contact the appropriate authority prior to any design work on information.
- #17 Underground utilities are not depicted hereon, contact the appropriate authority prior to any design work or construction on the property herein described. Surveyor shall be notified as to any deviation from utilities shown hereon.
- #18 Ownership Subject to OPINION OF TITLE.

**ABBREVIATIONS**

- A = ARC DISTANCE
- AVE. = AVENUE
- ASPH = ASPHALT
- ACC = AIR CONDITIONER
- BLDG = BUILDING
- B. COR. = BLOCK CORNER
- C.B. = CATCH BASIN
- CLF = CHAIN LINK FENCE
- CONC. = CONCRETE
- COL. = COLUMN
- C.U.P. = CONCRETE UTILITY POLE
- C.L.P. = CONCRETE LIGHT POLE
- CBS = CONCRETE BLOCK STRUCTURE
- C.M.E. = CANAL MAINTENANCE EASEMENT
- D = DIRECTION
- D/W = DRIVEWAY
- D.M.E. = DRAINAGE & MAINTENANCE EASEMENT
- ENC. = ENCROACHMENT
- E.T.P. = ELECTRIC TRANSFORMER PAD
- F.F.L. = FLORIDA POWER AND LIGHT
- F.H. = FIRE HYDRANT
- F.I.P. = FOUND IRON PIPE
- F.F. = FINISH FLOOR
- F.D.H. = FOUND DRILL HOLE
- F.R. = FOUND REBAR
- F.B. = FOUND BENCH
- F.N. = FOUND NAIL
- IF = IRON FENCE
- L = LENGTH
- L.P. = LIGHT POLE
- MEAS = MEASURED
- M.H. = MANHOLE
- N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
- N.T.S. = NOT TO SCALE
- O.E. = OVERHEAD ELECTRIC LINE
- O.L. = ON LINE
- P.C.P. = PERMANENT CONTROL POINT
- P.C. = POINT OF CURVATURE
- R = RADIUS
- RES = RESIDENCE
- SDWLK = SIDEWALK
- T = TANGENT
- U.E. = UTILITY EASEMENT
- WF = WOOD FENCE
- W.V. = WATER VALVE
- W.U.P. = WOOD UTILITY POLE
- = IRON FENCE
- = CHAIN LINK FENCE
- = WOOD FENCE
- = CBS WALL
- = OVERHEAD ELEC
- = CENTER LINE
- = EASEMENT
- = DENOTES ELEVATIONS
- = BUILDING
- = DISTANCE
- = CATCH BASIN
- = WATER METER
- = W.U.P.
- = STATE ROAD
- = US HIGHWAY
- = INTERSTATE
- = MONITORY WELL

**ELEVATION INFORMATION**

National Flood Insurance Program  
FEMA Elev. Reference to NGVD 1929

Comm Panel 120639  
Panel # 0457  
Firm Zone: "X"  
Date of Firm: 09-11-2009  
Base Flood Elev. N/A  
F.Floor Elev. 13.89'  
Garage Elev. 12.59'  
Suffix: "L"  
Elev. Reference to NGVD 1929

**CERTIFIED ONLY TO:**

Edmund Zaharewicz & Cecilia Danger

**LEGAL DESCRIPTION:**

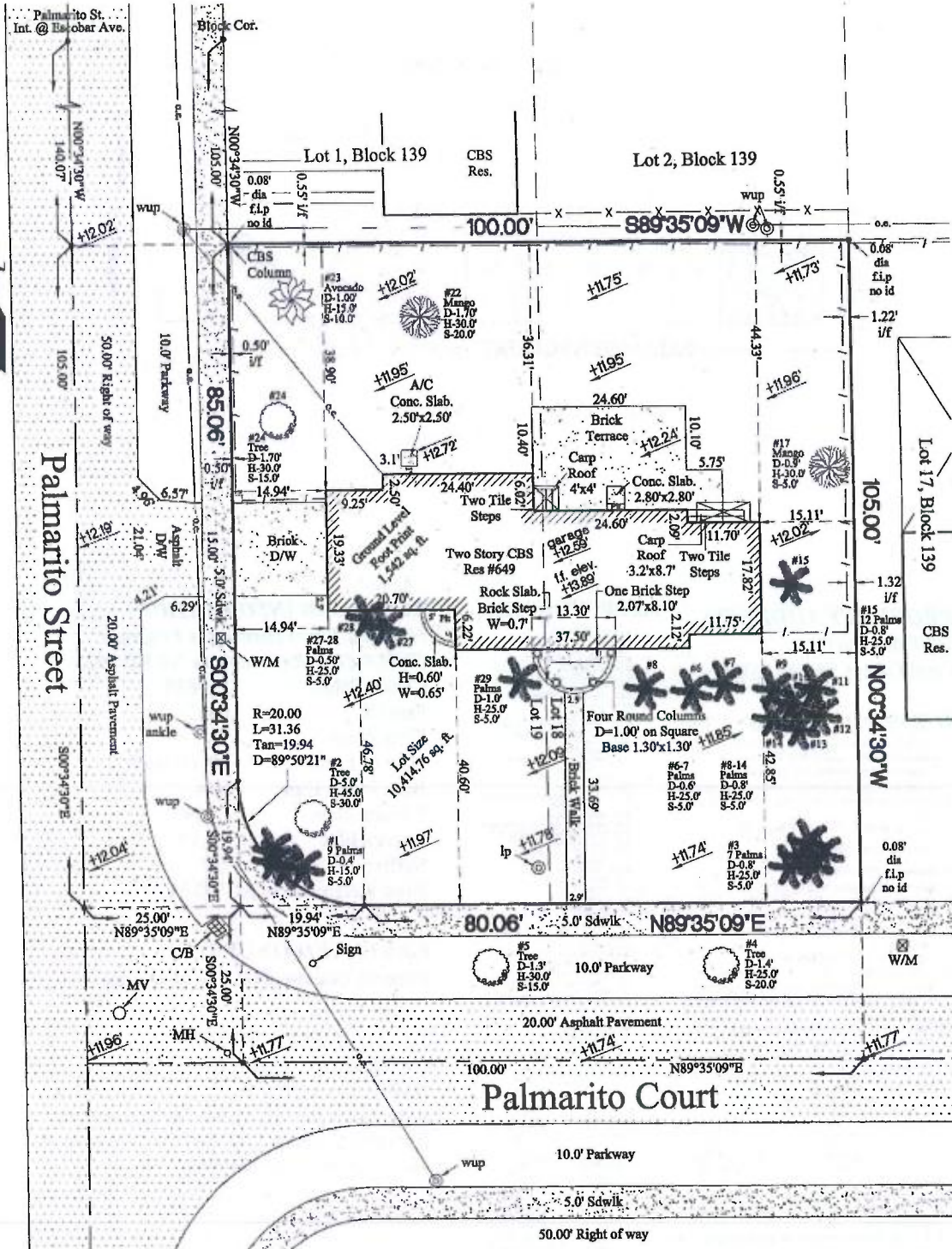
Lots 18 and 19, Block 139, of: "CORAL GABLES COUNTRY CLUB SECTION SIX", according to the Plat Thereof as Recorded in Plat Book 20, Page 1, of the Public Records of Miami-Dade County, Florida.

This certifies that the survey of the property described hereon was made under my supervision & that the survey meets the Standards of Practice set forth by the Florida Board of Professional Land Surveyors & Mappers in Chapter 51-17.052 of Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.  
& That the Sketch hereon is a true and accurate representation thereof to the best of my knowledge and Belief, subject to notes and notations shown hereon.

JOB #	19-1054
DATE	09-27-2019
PB	20-1

**AFA & Company, Inc.**  
Professional Land Surveyors and Mappers LB #7498  
13050 S.W. 133rd Court, Miami, Florida 33186  
Email: afaco@bellsouth.net  
Ph.: 305-234-0588, Fax: 206-495-0778

*Armando F. Alvarez*  
Professional Surveyor & Mapper #5526  
State of Florida  
Not Valid unless Signed & Stamped with Embossed Seal



JOB #	19-1054
DATE	09-27-2019
PB	20-1



The sketch hereon is a true and Accurate representation thereof to the best of my knowledge and belief, Subject to notes and Notations shown hereon.

*Amado F. Alvarez*  
Professional Surveyor & Mapper #5526  
State of Florida  
Not Valid unless Signed & Stamped with Embossed Seal

Surveyor Notes:  
Survey is Incomplete without sheet 1 of 2  
Scale of Drawing 1"=20'  
Drawn By: A. Torres Date: 09-27-2019  
Completed Field Survey Date: 09-26-2019  
AFA & COMPANY, INC. LB #7498  
Professional Land Surveyors and Mappers  
13050 SW 133rd CT Miami, Florida 33186  
PH: 305-234-0588 FX: 206-495-0778



EXHIBIT E



Historical Resources &  
Cultural Arts

October 2, 2020

2327 SALZEDO STREET  
CORAL GABLES  
FLORIDA 33134

☎ 305.460.5093  
✉ hist@coralgables.com

Edmund Zaharewicz and Cecilia Danger  
649 Palmarito Court  
Coral Gables, FL 33134

Re: **649 Palmarito Court**, legally described as Lots 18 and 19, Block 139, Coral Gables Country Club Section Part Six, according to the Plat thereof, as recorded in Plat Book 20, at Page 1, of the Public Records of Miami-Dade County, Florida.

Dear Mr. Zaharewicz and Ms. Danger:

The above referenced property has been scheduled for historical significance review by the Historic Preservation Board. The Historic Preservation Board meeting is scheduled for **Thursday, October 21, 2020**. The meeting begins at 4:00 P.M. and will be conducted virtually via Zoom. The meeting can be accessed via the following link: <https://zoom.us/j/99039645578>

A copy of the meeting agenda will be sent to you as soon as it is available.

If you have any questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in blue ink that reads "Kara Kautz".

Kara Kautz  
Interim Historic Preservation Officer

cc: File - Historical Significance Request for 649 Palmarito Court

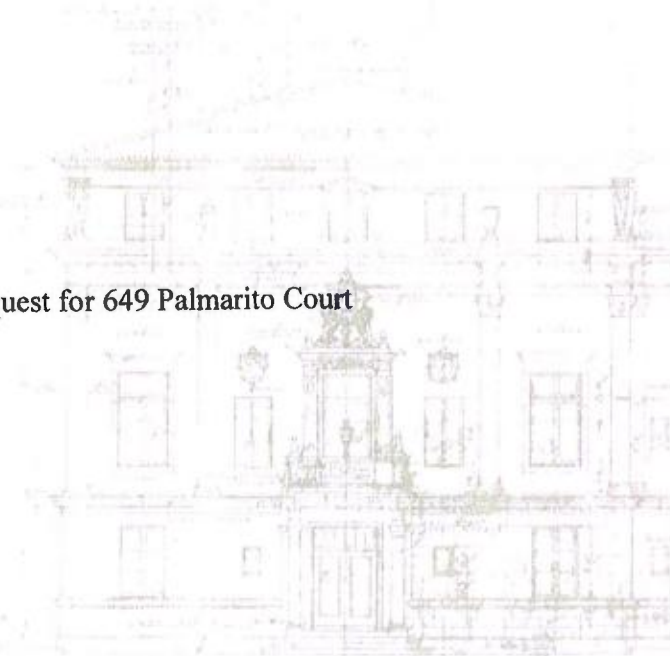


EXHIBIT F



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## 649 Palmarito Court

1 message

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**Kautz, Kara** <KKautz@coralgables.com>

Fri, Oct 2, 2020 at 5:23 PM

To: ezaharewicz@gmail.com <ezaharewicz@gmail.com>

Cc: Guin, ElizaBeth <eguin@coralgables.com>, Suarez, Cristina <csuarez@coralgables.com>

Good evening,

Please see the attached letter scheduling the above property for the Historic Preservation Board meeting of October 21, 2020.

We are requesting the Board's input on the historic significance of the property.

Should you have any questions, please let us know.

Kara

**Kara Kautz**

City of Coral Gables

Historical Resources and Cultural Arts Department

[kkautz@coralgables.com](mailto:kkautz@coralgables.com)

305-460-5090



**Please Note:** Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

EXHIBIT G

CITY OF CORAL GABLES  
HISTORIC PRESERVATION BOARD MEETING  
VIA VIDEO CONFERENCE  
OCTOBER 21, 2020

PARTICIPANTS:

Albert Menendez, Chairperson  
Cesar Garcia-Pons, Vice Chairperson  
John P. Fullerton, Board Member  
Bruce Ehrenhaft, Board Member  
Alicia Bache-Wiig, Board Member  
Xavier Durana, Board Member  
Raul R. Rodriguez, Board Member  
Dona Spain, Board Member  
Margaret A. "Peggy" Rolando, Board Member (From Page 15)

Kara N. Kautz, Historic Preservation Officer  
EizaBeth B. Guin, Historic Preservation Coordinator  
Gustavo Ceballos, Esq., Assistant City Attorney  
Nancy Lyons, Administrative Assistant

---

1                   MR. MENENDEZ: Good afternoon. Welcome to  
2 the regularly-scheduled meeting of the City of Coral  
3 Gables Historic Preservation Board.

4                   We are residents of Coral Gables and are  
5 charged with the preservation and protection of historic  
6 or architecturally-worthy buildings, structures, sites,  
7 neighborhoods, artifacts which impart a distinct  
8 historical heritage of the city.

9                   The board is comprised of nine members, seven  
10 of whom are appointed by the commission, one by the city  
11 manager, and the ninth selected by the board and confirmed  
12 by the commission. Five members of the board constitute a  
13 quorum and five affirmative votes are necessary for the  
14 adoption of any motion.

15                   Lobbyist registration and disclosure. Any  
16 person who acts as a lobbyist pursuant to the City of  
17 Coral Gables Ordinance Number 2006-11 must register with  
18 the city clerk prior to engaging in lobbying activities or  
19 presentations before city staff, boards, committees,  
20 and/or city commission. A copy of the ordinance is  
21 available in the office of the city clerk.

22                   Failure to register and provide proof of  
23 registration shall prohibit your ability to present to the  
24 historic preservation board on applications under  
25 consideration this afternoon.

1           A lobbyist is defined as an individual,  
2 corporation, partnership or other legal entity employed or  
3 retained, whether paid or not, by a principal who seeks to  
4 encourage the approval, disapproval, adoption, repeal,  
5 passage, defeat, or modifications of any ordinance,  
6 resolution, action or decision of any city commissioner,  
7 any action, decision, recommendation of the city manager  
8 and any board or committee, including, but not limited to,  
9 quasi-judicial advisory board, trust, authority or  
10 council, any action, decision or recommendation of city  
11 personnel during the time period of the entire  
12 decision-making process on the action, decision or  
13 recommendation which foreseeably will be heard or reviewed  
14 by the city commission or a city board or committee,  
15 including, but not limited to, quasi-judicial advisory  
16 board, trust, authority or council.

17           Presentations made to this board are subject  
18 to the city's false claims ordinance, Chapter 39 of the  
19 City of Coral Gables City Code.

20           I now officially call the City of Coral  
21 Gables Historic Preservation Board of October 21st, 2020  
22 to order. The time is 4:05.

23           Present today are Alicia Bache-Wiig, Bruce  
24 Eherenhaft, Dona Spain, John Fullerton, Raul Rodriguez,  
25 Xavier Durana, Vice Chair Cesar Pons, Cesar Garcia-Pons,



Page 4

1 and myself, Albert Menendez, the chair.

2 Staff, Kara Kautz, historic preservation  
3 officer; ElizaBeth B. Guin, historic preservation  
4 coordinator; and Gus Ceballos, assistant city attorney.

5 The next is approval of the minutes. Has  
6 everybody reviewed the minutes?

7 MR. GARCIA-PONS: Yes. I'll move approval.

8 MR. MENENDEZ: Okay. Do we have a second?

9 MR. EHRENHAFT: Second.

10 MR. MENENDEZ: Okay. We have a second.

11 MR. FULLERTON: I have a correction.

12 THE COURT REPORTER: I'm sorry. Who  
13 seconded? I'm sorry, I didn't see that.

14 MR. MENENDEZ: Who seconded the motion?  
15 Bruce Ehrenhaft.

16 MR. FULLERTON: I have a correction.

17 MR. MENENDEZ: What's the correction.

18 MR. FULLERTON: On Page 39, Line 12, there's  
19 a reference to a word about the location of the driveway  
20 in that application, and it was put down as "access," and  
21 it should be "axis."

22 MS. KAUTZ: Okay.

23 MR. MENENDEZ: Okay.

24 MR. FULLERTON: A small detail. I'm just  
25 showing off because I read the minutes, that's all. No,

1 it's actually what I said, and I wanted to just make sure  
2 I wasn't misquoted.

3 MS. KAUTZ: So noted.

4 MR. MENENDEZ: Okay. Notice regarding ex  
5 parte communications. Please be advised --

6 MS. KAUTZ: You need to vote.

7 MS. KAUTZ: Oh, we need to vote.

8 MS. KAUTZ: All in favor?

9 THE BOARD MEMBERS: Aye (collectively).

10 MR. MENENDEZ: Okay. Now, notice regarding  
11 ex parte communications. Please be advised that this  
12 board is a quasi-judicial board and the items on the  
13 agenda are quasi-judicial in nature which requires board  
14 members to disclose all ex parte communications.

15 An ex parte communication is defined as any  
16 contact, communication, conversation, correspondence,  
17 memorandum or other written or verbal communication that  
18 takes place outside a public hearing between a member of  
19 the public and a member of a quasi-judicial board  
20 regarding matters to be heard by the quasi-judicial board.

21 If anyone has made any contact with a board  
22 member, when the issue comes before the board, the member  
23 must state on the record the existence of the ex parte  
24 communication, the party who originated the communication,  
25 and whether the communication will affect the board

Page 6

1 member's ability to impartially consider the evidence to  
2 be presented regarding the matter.

3 Next item is deferrals. Do we have any  
4 deferrals today?

5 MS. KAUTZ: No, sir, none.

6 MR. MENENDEZ: None, okay. Swearing in,  
7 that's the next item. Can everybody be sworn in at once,  
8 or does it have to be on a case-by-case basis?

9 MS. KAUTZ: We've done it in the past, we've  
10 done it per item. Right, Doreen?

11 THE COURT REPORTER: Yes, that's right. I  
12 think it's more, in my opinion, more accurate for the  
13 record.

14 MR. MENENDEZ: Okay. Let's go then to the  
15 first item, and that is the historical significance  
16 designation, 649 Palmarito Court, legally described as  
17 Lots 18 and 19, Block 139, Coral Gables, Coral Gables  
18 Country Club Section Part Six, according to the plat  
19 thereof, as recorded in Plat Book 20 at Page One of the  
20 public records of Miami-Dade County, Florida. Okay, Kara.

21 MS. KAUTZ: So this is a historical  
22 significance request that we've received from the owner of  
23 this property. Their intent as stated in the letter of  
24 intent was to demolish the property, demolish the  
25 residence.

1           The city ordinance passed around 2003 that  
2 requires a historic significance determination for any  
3 structure in Coral Gables to be issued before a  
4 determination -- I'm sorry, before a demolition permit can  
5 be issued.

6           So this was an act that potentially,  
7 protected potentially historic properties that are  
8 currently undesignated.

9           This is the location of the property for  
10 Palmarito Court and Palmarito Street, just to give you  
11 some clue.

12           If, as that ordinance was written, if the  
13 historic preservation officer finds that the property is  
14 historically significant, generally further research is  
15 conducted and a designation report is prepared and that  
16 matter is brought to the board to consider designation as  
17 a local historic landmark.

18           In this case, staff believes the property is  
19 potentially historically significant. It was permitted in  
20 the 1940s, and this is an early photograph of the house  
21 soon after construction.

22           It was designed by architect William  
23 Shanklin, Junior. It is largely unaltered.

24           But we wanted guidance from the board, and  
25 your consideration today would not be to designate the

1 property, but only to determine if you wanted staff to  
2 bring back a designation report after doing more research  
3 on the property for a subsequent meeting, not at this  
4 meeting.

5           Again, this is only for you all to discuss  
6 the historic significance of the property and whether or  
7 not you think it warrants a full staff report.

8           So this is, like I said, a 1940s photo.

9           This is how the house looks today via Google  
10 Images.

11           These are the plans, original plans for the  
12 property as Permit 6225, again, William Shanklin.

13           Don't adjust your screen or anything. They  
14 are warped. They have vinegar syndromes taking over on  
15 these plans, so this is the best images that we could.

16           But you can see the basic outline of the  
17 first and second floors.

18           This is the front facade which is largely  
19 unchanged.

20           These are remaining facades of the property.

21           This is the tax card the city has on file,  
22 the original tax card. It just says the outline of the  
23 building and the permit number and the permit date it was  
24 issued, and I put this in here so that you could see from  
25 the survey submitted by the owner that it has not had any

1 additions made to it over the years.

2           These are photos submitted by the applicant.  
3 This is the front facade; a view from the corner, sort of  
4 walking around. This is from Google. This is the west  
5 facade; the rear submitted by the the applicant.

6           And that's my presentation, and again, we  
7 would like your, your initial thoughts on what you'd like  
8 us to do.

9           MR. CEBALLOS: And if I may interject,  
10 Assistant City Attorney Gus Ceballos.

11           Just for some clarification, I think Kara has  
12 already explained that this is simply basically staff  
13 asking for direction from the board.

14           At this point public input is not relevant,  
15 so any e-mails we've received in relation to this property  
16 should not be considered. Those all, e-mails will be  
17 considered if this property went to the next step and went  
18 for historic designation, but currently where it stands,  
19 it's just a request by staff looking for direction. It is  
20 not a designation. If you have any questions, please let  
21 me know.

22           MR. FULLERTON: When was it built?

23           MS. KAUTZ: It was built in 1940.

24           MR. CEBALLOS: Pardon my interruption again.  
25 Kara, procedurally, did you want -- typically we wouldn't

Page 10

1 allow the public or even the resident to speak on a  
2 request from staff, but in this particular case, the  
3 homeowner was instructed that he could make a quick  
4 presentation, and he's also available to answer questions.

5           Procedurally, Kara, would you like to do that  
6 now? Or I suggest we probably do before any actual  
7 deliberation after.

8           MS. KAUTZ: Sure. In the past we've allowed  
9 that, we've allowed the owners to speak as long as, and I  
10 have directed the owner of this too, as long as it's  
11 germane to the topic, not about what's going to be, you  
12 know, planned for the property, so it should be specific  
13 to the request at hand.

14           MR. SAHAREWICZ: Okay. Thank you very much.  
15 I would like to speak for a couple minutes.

16           MS. KAUTZ: You need to be, actually we need  
17 to swear you in.

18           MR. SAHAREWICZ: Okay.

19           MS. KAUTZ: And I believe staff needs to be  
20 sworn in as well.

21           MR. SAHAREWICZ: That's fine.

22           THE COURT REPORTER: I would like the person  
23 I'm swearing in to state their name, and I will swear  
24 staff also.

25 (Thereupon, the Mr. Saharewicz, Ms. Kautz and Ms. Guin

1 were duly remotely sworn on oath.)

2 MR. SAHAREWICZ: Ed Saharewicz, I do, just to  
3 get the name on the record.

4 MS. KAUTZ: The floor is yours.

5 MR. SAHAREWICZ: Oh, I'm sorry. Thank you  
6 very much.

7 All right. Well, my understanding is this  
8 type of meeting for direction at a public meeting is a bit  
9 unusual and I had some concerns about that which I  
10 communicated by e-mail to Kara, and so I'm happy to have  
11 that put in the record, if germane, and I don't want to go  
12 over it because I think it probably raises concerns that  
13 other residents in the past have probably raised.

14 I guess the one point I would make in that  
15 connection is that I think every average citizen of Coral  
16 Gables who wishes to improve their property, demolishing  
17 what is there, is taken by great surprise to find out that  
18 if they don't get their permit for demolition, they end up  
19 with a historical designation and all of the burdens  
20 associated with that, and I know there's pros and cons and  
21 philosophy in that regard, and I don't want to get into  
22 that.

23 But my basic concern is that just strikes me  
24 as fundamentally unfair. It's one thing I think to deny  
25 the permit because you deem the building to be eligible



1 for designation. It seems entirely a different matter to,  
2 from that, conclude that it should be and actually do a  
3 designation.

4 I would only point out, I understand what  
5 your process is. I don't think it's supported by the  
6 code, and I don't want to argue it, but I just recommend  
7 for your consideration a change in your process. I think  
8 it's enough to deny, if you go there, I don't think we  
9 need to go there on this property, but if you do deny the  
10 permit, right, because that's what actually is being asked  
11 for.

12 When you go as far as designation, that  
13 imposes a burden on the property owner, of course, who is  
14 unwilling for that designation because they're seeking  
15 exactly the opposite, so I would suggest just for  
16 consideration, not now, but put the idea in your head for  
17 future things. It's one thing to have a willing owner and  
18 the city agree on a historical designation, everybody is  
19 happy.

20 Where that is not the case, I would suggest  
21 that designation, even if you reject the demolition  
22 permit, should only proceed if the community as a whole  
23 wants to designate the district as historical. That way  
24 everybody shares in the burdens and benefits of that  
25 designation.

1           As to the particular property at hand, I  
2 don't want to go into why I don't think the criteria are  
3 met here. I don't think any of them are. Nothing I've  
4 seen in the supporting materials presented for this  
5 meeting nor in the submissions by e-mail that I've seen so  
6 far on this changes my mind.

7           For example, I mean, I think William Shanklin  
8 is a notable architect but far from a significant person  
9 of the community. There's no -- you Google his name and  
10 he doesn't show up at all in any Coral Gables website that  
11 I could find, so I think that's indicative that that's not  
12 a major person, but I don't want to go point by point.

13           Another one of my concerns here is that if a  
14 designation -- if a determination is made that this  
15 property is eligible for designation, I think at that, at  
16 that point it would be -- I think at that point I should  
17 have, as the property owner, what the basis for that  
18 determination is. I should not have to wait to see the  
19 report, whatever that report is, for designation for the  
20 reasons I mentioned earlier.

21           This way we can argue the points on what the  
22 criteria are and make the determination at the eligibility  
23 level and go no further than that. That seems fair to me.

24           What seems unfair is if you lose that  
25 argument, you have to go all the way to designation, and

1 the poor property owner is left with his dreams  
2 unfulfilled, but also with the burdens, as I said, of the  
3 historic designation. I know other people don't believe  
4 that as a burden, but I think it clearly is when you look  
5 at it.

6 So if something like that is going to be  
7 made, it should be made either voluntarily by the owner,  
8 or as a community project as I believe was done in the  
9 Alhambra Circle Historical District resolution of this  
10 board from 2015.

11 Anyway, so that's it. I'm available to  
12 answer any questions you may have about the property. I  
13 think what Kara said is generally true.

14 It's unchanged. We haven't -- when we got  
15 the property, it was in a state of disrepair. I think  
16 part of that reason was it's not a home conducive to  
17 modern living.

18 I think the board should also consider that  
19 this area, as I understand it, the houses were all on very  
20 large lots at the time they were constructed and that  
21 these were all subdivided since, which I think has changed  
22 the historical character of the neighborhood in general  
23 and should play a significant factor in its consideration.  
24 I don't think you can take that away and then designate a  
25 part of it historical.

1                   Again, I don't think any of the criteria are  
2 met here. I can offer as evidence of that that within  
3 only a few blocks of my house, three corner houses within  
4 recent times have received letters of significance which I  
5 understand means not significant. Those are 730 Escobar  
6 Avenue, 740 Escobar Avenue, 37 -- 637 Aledo Avenue, and  
7 then on top of that, there's also 731 Escobar.

8                   I know for a fact because I was familiar with  
9 the property that I believe it's 730 Escobar was a very  
10 unique structure, and so if that was not historically  
11 significant, I fail to see how my property could possibly  
12 be historically significant.

13                   In any event, anyway, so those are kind of my  
14 main points at this point. I appreciate the opportunity  
15 to speak to you, make myself available to any questions  
16 you have in regards to the property, and look forward to  
17 this process going forward.

18 (Thereupon, Ms. Rolando remotely joined the meeting.)

19                   MR. MENENDEZ: Let the record show that Miss  
20 Rolando is now on line with us. Any comments from the  
21 board?

22                   I feel, I feel that if, if the department has  
23 come and said that it's potentially historic, that we  
24 should take a look at it and get more information.

25                   MS. KAUTZ: Dona has her hand raised.

1 MS. SPAIN: I'm trying to be polite and raise  
2 my hand. Yeah, I would like to see a designation report  
3 so we can have a clear view of this property.

4 MR. MENENDEZ: Mr. Durana, what do you think?

5 MR. DURANA: I'd also like to see a  
6 designation report before we, you know, we make any  
7 decision on this.

8 MR. MENENDEZ: Okay. Miss Bache-Wiig?

9 MS. BACHE-WIIG: I agree. I believe that if  
10 staff feels that we should look further into it and get a  
11 full report, then we should do that, absolutely, so I  
12 would vote for yes.

13 MR. MENENDEZ: Okay. Miss Rolando?

14 MS. ROLANDO: I too concur with that.

15 MR. MENENDEZ: Okay. Mr. Garcia-Pons?

16 MR. GARCIA-PONS: I agree.

17 MR. MENENDEZ: Okay. Mr. Fullerton?

18 MR. FULLERTON: Yes, I think so. I think  
19 Mr. Saharewicz's comments about what he could expect are  
20 already in the code.

21 I mean, you can decide and see what we're  
22 going to look at and join in the process so you can see  
23 what is happening during the evolution of this report, so  
24 I don't see -- you're not losing anything. Anyway, yes,  
25 I'll agree.

1 MR. MENENDEZ: Mr. Rodriguez?

2 MR. RODRIGUEZ: I'm agnostic.

3 MR. MENENDEZ: There's one in every bunch.

4 All right. Do I have a motion?

5 MR. SAHAREWICZ: May I ask a question before  
6 you take the vote on that just so I'm clear?

7 As I understand what was said, the motion is  
8 to go forward in the research. Does that mean you are, or  
9 does that mean the historic preservation officer is going  
10 to or has made her determination as to eligibility?

11 MR. MENENDEZ: No, sir.

12 MR. SAHAREWICZ: Or is the decision pending  
13 the report?

14 MR. MENENDEZ: That means that we need more  
15 information in order to make a decision so --

16 MR. SAHAREWICZ: Okay.

17 MR. MENENDEZ: -- a report will be generated.

18 MR. SAHAREWICZ: Just so I'm clear, so that  
19 report will be generated, and at that point, the officer,  
20 the historic preservation officer will make her  
21 determination putting me on notice that the determination  
22 has been made under, I guess it's Code Section 3-1107,  
23 Subparagraph G. Is that a fair statement?

24 MR. FULLERTON: It still has to come back to  
25 the board --

1 MS. KAUTZ: Yes.

2 MR. FULLERTON: -- for confirmation.

3 MR. MENENDEZ: For review and a vote.

4 MR. SAHAREWICZ: No, I understand that, but  
5 the difference between the items is that at the point of  
6 designation I will have clear articulation from the staff  
7 and the officer of their criteria, for their belief for  
8 believing it meets the criteria, whereas the other process  
9 is I won't have that view until near the time the meeting  
10 is held for the determination of designation, which as I  
11 mentioned before, I think is a difficult and problematic  
12 process for me in my view of how the code is written.

13 MS. KAUTZ: We are required to bring --  
14 they're directing staff to bring a designation report to  
15 them, so we are going to do the research. We will be able  
16 to articulate to you the reasons why or why not we feel  
17 that it qualifies.

18 So right now as we feel it's potentially  
19 significant, we'll know once we do the research whether or  
20 not it meets the criteria or not, and like I said, when we  
21 have that report prepared for the board, it is a  
22 designation report, and it will go to the board and they  
23 have the ultimate decision. They can decide whether or  
24 not it meets the criteria based on the information that  
25 we've presented.

1 MR. SAHAREWICZ: Okay. So at that point when  
2 the report is done, it sounds like you will issue your  
3 formal determination of your conclusion as to whether or  
4 not it is eligible, and then from there, the 60-day period  
5 for the hearing begins, correct?

6 MS. KAUTZ: Not usually, no, and I can ask  
7 Gus, I can clarify this with him sort of after this is  
8 done, but typically it's the board, we will bring the  
9 report back to them within 60 days, and now it's up to  
10 them. They determine that it's potentially significant  
11 and they want to see more, so that 60 days window is for  
12 us to prepare that report and bring it back to them.

13 MR. SAHAREWICZ: Okay. Well --

14 MS. KAUTZ: Our window, our window starts  
15 now.

16 MR. SAHAREWICZ: Okay. I don't want to argue  
17 the point. It just seems to me the way I read the code is  
18 that from the point of the determination, which you're  
19 saying has not been made and will not be made until you  
20 have done the report, then the 60-day period begins.

21 MS. KAUTZ: I see what you're saying. That  
22 60 days is put in there as, it's to protect the homeowner  
23 so that we don't drag this out for, you know, six months.  
24 It's put in there so that you will have a finite  
25 determination within 60 days and not leave you waiting.



1 MR. SAHAREWICZ: Okay, all right. Very well.

2 Thank you. Sorry for holding up the deliberations.

3 MR. EHRENHAFT: Mr. Chair, excuse me. I  
4 tried to raise my hand before. I need to add my comment  
5 for the record that I also concur with --

6 MS. KAUTZ: Okay.

7 MR. EHRENHAFT: -- to get a staff report.

8 MR. MENENDEZ: So noted, Mr. Ehrenhaft.  
9 Would you like, would you like to enter the motion then?

10 MR. EHRENHAFT: Certainly. So I move that  
11 staff proceed to --

12 UNIDENTIFIED SPEAKER: (Inaudible) someone  
13 has their hand up.

14 MS. KAUTZ: Correct, but we're not taking  
15 public input on this at this point. Go ahead, Bruce.

16 MR. EHRENHAFT: Okay. So I move that staff  
17 be directed to proceed to prepare a historical  
18 significance report to determine whether in their view --

19 MS. KAUTZ: It's a historic -- it's a  
20 designation report.

21 MS. SPAIN: It's a designation report.

22 MS. KAUTZ: I'm sorry.

23 MS. SPAIN: It's a designation report. It's  
24 been a long day.

25 MR. EHRENHAFT: Designation report to give

1 their recommendation to the board within 60 days of  
2 whether or not they believe that the property merits  
3 historic designation and addresses (inaudible).

4 (Reporter clarification.).

5 MR. EHRENHAFT: 649 Palmarito Court.

6 MR. MENENDEZ: Do we have a second?

7 MS. SPAIN: I'll second it. This is Dona.

8 MR. MENENDEZ: Okay, and then we need the  
9 vote.

10 THE ADMINISTRATIVE ASSISTANT: Mr. Ehrenhaft?

11 MR. EHRENHAFT: Yes.

12 THE ADMINISTRATIVE ASSISTANT: Miss Spain?

13 MS. SPAIN: Yes.

14 THE ADMINISTRATIVE ASSISTANT: Mr. Fullerton?

15 MR. FULLERTON: Yes.

16 THE ADMINISTRATIVE ASSISTANT: Miss Rolando?

17 Hello, Miss Rolando?

18 MS. ROLANDO: Yes.

19 THE ADMINISTRATIVE ASSISTANT: Mr. Rodriguez?

20 MR. RODRIGUEZ: Yes.

21 THE ADMINISTRATIVE ASSISTANT: Mr. Menendez?

22 MR. MENENDEZ: Yes.

23 THE ADMINISTRATIVE ASSISTANT: Mr.

24 Garcia-Pons?

25 MR. GARCIA-PONS: Yes.

1 THE ADMINISTRATIVE ASSISTANT: Miss

2 Bache-Wiig?

3 MS. BACHE-WIIG: Yes.

4 THE ADMINISTRATIVE ASSISTANT: And I did get

5 Miss Spain, right?

6 MS. SPAIN: Yes.

7 THE ADMINISTRATIVE ASSISTANT: Okay, okay.

8 That's everybody.

9 MR. RODRIGUEZ: Mr. Durana.

10 MR. MENENDEZ: Oh, Mr. Durana.

11 THE ADMINISTRATIVE ASSISTANT: Oh, I thought

12 I did call you. I said Mr. Durana. I'm sorry.

13 Mr. Durana?

14 MR. DURANA: Yes.

15 THE ADMINISTRATIVE ASSISTANT: Okay.

16 MR. MENENDEZ: Okay. Everybody accounted

17 for?

18 THE ADMINISTRATIVE ASSISTANT: Yes, sir.

19 MR. MENENDEZ: Okay. Thank you,

20 Mr. Saharewicz.

21 MR. SAHAREWICZ: Thank you to the board.

22 Thank you very much.

23 MR. MENENDEZ: The next item on the agenda is

24 a special certificate of appropriateness, Case File COA

25 (SP) 2020-007, application for the issuance of a special

1 certificate of appropriateness for the property at 603  
2 Minorca Avenue, a local historic landmark legally  
3 described as Lots 14 and 15, Block 18, Coral Gables  
4 Section B, according to the plat thereof as recorded in  
5 Plat Book Five at Page 111 of the public records of  
6 Miami-Dade County, Florida.

7 This application requests design approval for  
8 relocation of the residence, an addition and site work.

9 MS. KAUTZ: Thank you. Can you all see my  
10 screen, I hope?

11 MR. MENENDEZ: No.

12 MS. ROLANDO: No.

13 MS. KAUTZ: Really? Well, I did that wrong  
14 now, didn't I? Hang on one second. Okay, all right.  
15 Here we go.

16 So again, this property, 603 Minorca Avenue,  
17 Segovia and Minorca on the corner. It's coming back to  
18 you for a second time. This is the Power Point that we  
19 had before. We don't have a new one prepared, just wanted  
20 to refresh your memory on the property which I'm sure you  
21 all remember.

22 The circa 1923 photo, that's some -- we'll  
23 get to that. So this, at the last meeting, you guys had  
24 requested that the owner come back to you with a study  
25 prepared by an expert. They retained Douglas Wood and

1 Associates to prepare the feasibility assessment that was  
2 delivered to you all in your packets.

3 Just so you all know, the second item, the  
4 second COA item has been deferred off of this agenda.  
5 They are two separate items. They should not be  
6 considered together, so it is not on this agenda. This is  
7 one is only about the relocation of the existing  
8 structure.

9 So the owner is here, the architect is here,  
10 and I believe they have people with them as well.

11 THE COURT REPORTER: Would you like me to  
12 swear them now, Miss Kautz?

13 MS. KAUTZ: Yes, please.

14 (Thereupon, Mr. Gibb was duly remotely sworn on oath.)

15 MR. WOOD: This is Douglas Wood. I'm not  
16 registered as a lobbyist. Does that prevent me from  
17 speaking?

18 MR. MENENDEZ: No, not at all.

19 MR. CEBALLOS: No.

20 (Thereupon, Mr. Wood, Ms. Bondurant, Ms. Brannigan,  
21 Mr. Berman, and Ms. Martinez Carbonell were duly remotely  
22 sworn on oath.)

23 MR. MENENDEZ: Okay. We're going to hear now  
24 from the owner and his architects and consultants, so you  
25 can go ahead.

1 MR. GOLDSTEIN: Hi. My name is Greg  
2 Goldstein and I am the owner of 603 Minorca Avenue.  
3 (Thereupon, Mr. Goldstein was duly remotely sworn on  
4 oath.)

5 MR. GOLDSTEIN: Yes. Hi. My name is Greg  
6 Goldstein. I'm the owner of 603 Minorca Avenue. As I  
7 mentioned in the last hearing, I live in Coral Gables in a  
8 historic 1924 home on Asturia Avenue.

9 My home on Asturia was designated as historic  
10 under my ownership, and my wife and I completed a  
11 second-story addition while maintaining the original  
12 elevation and footprint of the home, so I have experience  
13 working with the historical department and completing  
14 projects in Coral Gables.

15 I also have a vested interest in maintaining  
16 and preserving the historical homes in the city.

17 Regarding 603 Minorca, I purchased the  
18 property in 2018. It's a unique frame home with many  
19 architecturally significant characteristics.

20 The 2005 report on the historic designation  
21 of this home states that this is a Coral Gables cottage  
22 and defines a Coral Gables cottage as a smaller, more  
23 modestly-sized residence which was designed to provide the  
24 same quality of construction and detail at a more  
25 affordable level.

1 I am here today seeking approval from the  
2 historical board to move the historical structure at 603  
3 Minorca Avenue 20 feet to the east so it will sit  
4 completely on Lot 14, allowing me to build a small,  
5 historically-sensitive, one story addition to the back of  
6 the property. Moving the home would allow me to preserve  
7 the historical property as a one-story, more  
8 modestly-sized residence, and completely maintain the  
9 front elevation of the home and the east elevation of the  
10 home facing Segovia, all of which are top priorities of  
11 the historical department.

12 Section 3-1109 of the Coral Gables zoning  
13 code allows for the moving of existing improvements. The  
14 code states that the historic preservation board may grant  
15 a special certificate of appropriateness if it finds that,  
16 number one, no reasonable alternative is available for  
17 preserving the improvement on its original site; and  
18 number two, that the proposed relocation site is  
19 compatible with the historic and architectural integrity  
20 of the improvement.

21 So I would like to further detail both  
22 requirements of the code section and explain why we meet  
23 both requirements.

24 Number one, no reasonable alternative is  
25 available for preserving the improvement on its original

1 site. As I mentioned in the previous hearing, my original  
2 intent was to build a historically-sensitive addition to  
3 the existing home. My architect and I went back and forth  
4 with the historical department for about a year with  
5 various development ideas. However, ultimately the  
6 location of the home in the center of the lot made a  
7 historically-sensitive addition to the original home an  
8 impossibility.

9 Many properties with additions to historic  
10 homes have clear advantages, making historically-sensitive  
11 additions feasible.

12 For instance, 603 Minorca's sister or twin  
13 home on Alcazar was built on the side of the lot, allowing  
14 for a one-story site addition on the other side of the  
15 home, and that home has five-foot setbacks on each side,  
16 allowing more of the lot to be utilized for building  
17 space.

18 My house is built in the center of the lot  
19 and has a 15-foot side setback, making the location of the  
20 home at the center of the lot even more limiting. It was  
21 pointed out in the last hearing there have been several  
22 overwhelming additions that have been approved and built  
23 in North Gables that completely obscure the original  
24 historical structure. I do not want to do that to this  
25 home.



1                   The reason this home was designated in the  
2 first place was its small size and unique features.  
3 Building a large two-story concrete structure to surround  
4 this small frame home on all sides will not preserve the  
5 historical significance and integrity of the home. It  
6 will erase it.

7                   I want to emphasize that it took over a year  
8 of trying to plan a historically-sensitive addition to the  
9 home and failing over and over again to conclude that  
10 moving the structure was the best alternative. I know the  
11 way we are set up here, the board doesn't have a full year  
12 to go through the process I went through, my architect,  
13 Callum Gibb, went through, and the historical department  
14 went through.

15                   But I encourage the board to look carefully  
16 at the size of the lot, the location of the home, the  
17 setbacks of the property, the history of the home and  
18 other homes on Minorca Avenue, and I believe you will see  
19 the best way to preserve the original structure and  
20 historical integrity of the home and neighborhood will be  
21 to approve moving the home.

22                   The second requirement of Code Section 3-1109  
23 is that the proposed relocation site is compatible with  
24 the historical and architectural integrity of the  
25 improvement.

1           Moving the structure 20 feet to the east on  
2 the same lot will not affect the historical character of  
3 the neighborhood or the historical character of the house.  
4 I would argue there isn't a more compatible site for the  
5 house relocation than on the same site 20 feet over.

6           Additionally, Coral Gables code follows the  
7 Secretary of Interior's language on moving a structure at  
8 67.4 H which states when a building is moved, every effort  
9 should be made to reestablish its historical orientation,  
10 immediate settings, and general environment. This is  
11 exactly what we would be doing here.

12           So I believe it is clear we meet both  
13 requirements of Section 3-1109 of Coral Gables zoning code  
14 for the historic preservation board to grant a special  
15 certificate of appropriateness to move the existing  
16 improvement, and I would appreciate your approval, I would  
17 appreciate your approval allowing me to move this  
18 structure.

19           Also, I would like to mention there is a  
20 petition going around collecting signatures against moving  
21 the structure, and I can appreciate an opposing view, but  
22 I want to make sure the board is aware of the petition and  
23 the way the petition is being marketed and what people are  
24 actually signing.

25           The petition states that approving the

1 staff's recommendation will negate the city's historic  
2 designation as per the Secretary of Interior standards and  
3 guidelines. This is not true.

4 The petition states that we are moving the  
5 historical home to a far corner of the property. This is  
6 also not true.

7 The petition cuts and pastes together  
8 separate sentences from the 2005 historic designation,  
9 claiming the size of the lot was an important factor in  
10 its 2005 designation.

11 However, if you read the 2005 designation in  
12 its entirety, it's clear that the house is classified as a  
13 cottage home and is significant for its small size, style,  
14 and unique characteristics, not the size of the lot.

15 Additionally, the petition asks individuals  
16 to sign the petition as a statement of concern against the  
17 troubling trend of inappropriate alterations and  
18 demolitions, none of which we are doing here.

19 So I want to be clear to the board and all  
20 the individuals that signed the petition, I am here today  
21 seeking approval from the board to move the existing home  
22 20 feet to the east as the best alternative to maintain a  
23 Coral Gables cottage home and the best option to preserve  
24 the historical integrity of the original structure.

25 That's all I have, and I just want to also

1 say I have Doug Wood here speaking on the existing  
2 structure, and Jamison Brownie is registered as a  
3 lobbyist. He's a structural mover, and I have him here  
4 today to answer any questions you may have regarding  
5 moving the structure. I thought that would help. Thank  
6 you.

7 MS. KAUTZ: Thank you.

8 MR. MENENDEZ: Anyone else going to speak  
9 from your team?

10 MS. KAUTZ: Greg, do you want them there to  
11 answer questions, or would you like --

12 MR. GOLDSTEIN: That's okay. They're really  
13 there to answer questions.

14 MR. MENENDEZ: Okay. Do we have, do we have  
15 anyone in the audience who would like to speak in favor of  
16 this project? Anyone else would like to speak against  
17 this project?

18 MS. MARTINEZ CARBONELL: I would like to  
19 speak. This is Karelia. I would like to speak as well.

20 MR. MENENDEZ: You can speak. You have your  
21 hand up.

22 MS. BONDURANT: Okay. Interestingly enough  
23 -- can you hear me?

24 MR. MENENDEZ: Yes.

25 THE COURT REPORTER: Excuse me, excuse me. I

1 need the name, I need the name of the person speaking

2 MS. KAUTZ: Name and address, please, Gay.

3 MS. BONDURANT: I'm sorry. Can you hear me  
4 now?

5 MS. KAUTZ: Yes. State your name and  
6 address, please.

7 MS. BONDURANT: Yes. My name is Gay, G-A-Y,  
8 Bondurant, B-O-N-D-U-R-A-N-T, and I live at 446 Alcazar in  
9 the Alcazar Historic District.

10 Interestingly enough, I was on that, on your  
11 board in 2005 when Mr. Perez, the former owner, came and  
12 brought that house for designation.

13 The owner has made, Mr. Goldstein, has made a  
14 compelling argument.

15 However, a couple things, and I think that  
16 one of my concerns is precedent, that if we allow one  
17 historic house to be moved, then there's the next one and  
18 the next one and the next one, and those people may not be  
19 as sensitive to the preservation issues as Mr. Goldstein  
20 is.

21 Also, it's ironic that the previous  
22 discussion on the previous issue, the gentleman referred  
23 to the size of the lots now surrounding his building on  
24 Palmarito Court, and he indicated and felt that the  
25 splitting of the lots had denigrated the neighborhood.

1 I feel for Mr. Goldstein, but let me ask this  
2 just as a point of interest: What are, what are you  
3 planning to build that is so large that the setbacks are  
4 right up against the house?

5 MS. KAUTZ: Gay, what -- this is not, this  
6 case is not about splitting the lot --

7 MS. BONDURANT: I know, yeah.

8 MS. KAUTZ: -- or anything else. If he moves  
9 it, he can build a pool over it.

10 Ms. BONDURANT: Right.

11 MS. KAUTZ: It's not about that, so.

12 MS. BONDURANT: No. I just wondered if there  
13 had been a consideration of the setbacks being suggested,  
14 but I just, I feel like it's a matter of precedent, and  
15 maybe there's, I shouldn't say this, but maybe there's a  
16 bigger lot somewhere else in Coral Gables, and I'm against  
17 the move and -- but he does make a compelling argument,  
18 but according to code, from my vision is our first choice  
19 is not move it.

20 MS. KAUTZ: Thank you.

21 MR. MENENDEZ: Okay.

22 MS. MARTINEZ CARBONELL: Hello. This is  
23 Karelia.

24 MR. MENENDEZ: Go ahead.

25 MS. MARTINEZ CARBONELL: Okay. This is

1 Karelia Martinez Carbonell.

2 I would like to first speak on just the  
3 report as far as the actual motion, the actual motion, I'm  
4 going to read it. On August -- the meeting, the August  
5 meeting, right?

6 Said, you know, and I'm going to read it, "A  
7 motion to defer consideration of the special certificate  
8 of appropriateness for 603 Minorca Avenue pending receipt  
9 of a report from a consultant selected by city staff  
10 advising on the feasibility of moving the structure to the  
11 proposed location."

12 The report that was submitted was submitted  
13 and it was per the owner, so to state on record it was a  
14 general feasibility report, that was not from an objective  
15 perspective.

16 MS. KAUTZ: Karelia, I was staff, city staff  
17 was the one who made Mr. Goldstein hire Doug Wood, so that  
18 is an incorrect statement.

19 MS. MARTINEZ CARBONELL: Well, what I heard  
20 was that the report, you know, the report shows that it  
21 was the owner who hired the report -- the -- what's his  
22 name? I forget now his name. Wood, right, Wood?

23 MS. KAUTZ: Douglas Wood, Douglas Wood.

24 MS. MARTINEZ CARBONELL: Right. That was not  
25 clear, so, but with that said, it doesn't, it doesn't

1 prove anything as far as it being that the cottage would  
2 be protected if it was moved. There was nothing in the  
3 report making that statement.

4 It was actually saying, "We really haven't  
5 even looked." They weren't, they weren't even on the  
6 property. It was really more of, you know, the owner, I  
7 believe the way I read it, it was, you know, sort of what  
8 I just got from the owner, what he has done.

9 MS. KAUTZ: That's not true either. Doug  
10 Wood is on the phone, but I'll let you finish, but that's  
11 not correct.

12 MS. MARTINEZ CARBONELL: Well, this is just  
13 -- again, please allow me to make my point.

14 You know, again, according to how, not just  
15 myself, but I have actually several people that read the  
16 report, have got -- you know, send me notes, you know,  
17 send me their feedback.

18 Again, the report does not 100 percent or  
19 even 50 percent give credence to that this historic  
20 landmark will, will, will, will, will be -- will keep its  
21 integrity. I mean, I didn't read that in the report.

22 Now, the other thing is that the report goes  
23 on to say that the coral rock foundation is going to be  
24 chopped up and somehow re-put together, which is  
25 absolutely -- you know, I mean, as a preservationist, you



1 don't want to read anything like that in a report.

2           So you know, again, those are the things  
3 that, you know, the report really does not really make a  
4 compelling argument to move this cottage. It's a  
5 historical cottage. It's a landmark.

6           The 2005 designation report does state, yes,  
7 it does state that the lot, the size of the lot, it's on  
8 Page Two of the report, it does state that it is part of  
9 the uniqueness of the property, so if somebody wants to  
10 deny that, then that's their prerogative, but it is  
11 written, and I'm going to quote it.

12           "The uniqueness of this home is characterized  
13 by the size of the property, and it is one of the few  
14 homes of this type to still exist on such a large parcel  
15 of land while maintaining its integrity."

16           MR. GOLDSTEIN: Can I provide the actual  
17 quote, please? Because this is the second time that she's  
18 not giving the accurate quote of what's in the report.

19           MS. MARTINEZ CARBONELL: That is the accurate  
20 quote.

21           MR. GOLDSTEIN: No. You're not --

22           MS. MARTINEZ CARBONELL: That's a quote on  
23 Page Two of the designation report.

24           MR. CEBALLOS: Pardon my interruption, but I  
25 don't think that a back-and-forth between the public

1 commenter and anyone -- you'll be given an opportunity,  
2 Mr. Goldstein --

3 MR. GOLDSTEIN: Okay.

4 MR. CEBALLOS: -- as long as you want to  
5 address any public comments after the fact.

6 MR. GOLDSTEIN: It's just not an accurate  
7 quote.

8 MS. MARTINEZ CARBONELL: Okay. Well, you  
9 show me if it's not and I will take a look at it, but I am  
10 quoting exactly from Page Two of the designation report.

11 MR. MENENDEZ: Miss Carbonell, Miss  
12 Carbonell, is there anything else?

13 MS. MARTINEZ CARBONELL: Yes.

14 MR. MENENDEZ: Because there are other people  
15 who need to speak.

16 MS. MARTINEZ CARBONELL: Well, the other, the  
17 third point, okay, which was brought up about the  
18 Secretary of Interior's guidelines of moving a property,  
19 and, you know, it's absolutely not an acceptable solution.

20 And there's really only two -- and these have  
21 had legal challenges, so it's not like I'm speaking, you  
22 know, you know, from the field. I mean, these have had  
23 legal challenges, and the only accepted reason for  
24 justifying the move are that the building has been moved  
25 in the past or that the only means of saving the building

1 from certain loss is a relocation, and this does not fit  
2 what the homeowner is asking. So thank you for the time.

3 MR. MENENDEZ: Okay. Miss Brannigan?

4 MS. BRANNIGAN: Thank you. I appreciate a  
5 moment, I'd like to address the board.

6 My name is Martha Brannigan. I live at 609  
7 Minorca Avenue. My house shares a 113-foot boundary with  
8 this property, 603 Minorca. I've owned my home for 34  
9 years, and I intend to stay here. I believe I'll be the  
10 most heavily impacted by any development of the property.

11 So basically the proposal to move the house  
12 is a terrible idea. I realize that they went round and  
13 round with a couple different ideas of how to redevelop  
14 the property, and perhaps maybe their expectations of just  
15 how much floor area ratio can be extracted from the lot is  
16 not realistic given that the house is sitting in the  
17 center of the lot.

18 That's where it is. That's where it's been  
19 for almost a hundred years, and that's where it should  
20 stay.

21 There is no historic preservation reason for  
22 moving the house. A historic property shouldn't be moved  
23 except in the most extraordinary of circumstances, perhaps  
24 if a property were in imminent danger such as if it's  
25 discovered that it was sitting on a sinkhole or maybe if

1 it was threatened by a sea level rise or some sort of  
2 compelling reason that the property was at risk of being  
3 lost, but no such reason exists here.

4 The only reason is to shove it over to one  
5 lot so that a big new house can be shoe-horned on the  
6 second lot next to it. That's the only, that's the only  
7 reason.

8 And the expert's report is kind of telling.  
9 It's full of caveats and limitations. It's hardly a  
10 ringing endorsement of the idea to move the house. It's  
11 -- and at any rate, it shouldn't be the centerpiece of any  
12 decision by this esteemed board.

13 It's just a feasibility report. It doesn't  
14 speak to the advisability of moving the house.

15 And I assure you, I'm a journalist, I've  
16 spent 40 years, I've seen courthouse cases where expert  
17 witnesses -- I'm not impugning the integrity of what this  
18 witness is saying.

19 I'm just simply saying it would not be hard  
20 to go out and find a witness to say precisely the  
21 opposite, and the report -- and the expert does not say  
22 that it would be, that -- it says it's feasible but it's  
23 rather difficult.

24 As for this double lot, it's key to the  
25 integrity of this property, and let's remember, it is

1 just, it's only a double lot. It's not this huge expanse  
2 of green space that needs to be developed and -- it's 100  
3 feet wide. It's just a double lot.

4 It looks bigger perhaps because it's on a  
5 corner and enjoys the benefit of a green swale on the two  
6 sides. It's on the corner of Minorca and Segovia, and it  
7 looks like it has a lot of green space, but it's just a  
8 100-foot lot.

9 So this is a spec development. It's just,  
10 this isn't somebody who is looking to build a home that  
11 they're going to live in like the neighbors who have  
12 written to you whose messages have been minimized and  
13 disparaged perhaps because they don't have all the expert  
14 skills to articulate it. It's just a double lot.

15 So I believe the historic preservation board  
16 can do better than this to reach some reasonable agreement  
17 with the developer that protects the integrity of the  
18 property, which is your mission, and allows a reasonable  
19 development consistent with the city's objective.

20 And it shouldn't, certainly it shouldn't be  
21 more than one story.

22 And my understanding is that, that someone  
23 who has a historic designation that's an easement on the  
24 property and the expectation is you can have this enormous  
25 expansion on the property is simply not right.

1           It's historically designated. Therefore  
2 you're entitled to a reasonable beneficial use of the  
3 property, but not, you know, wall-to-wall concrete, you're  
4 just not, so to raise the idea that the alternative to  
5 this is like this horrifying structure that will destroy  
6 the appearance of the house is just not the case.

7           The developer made a rather compelling case  
8 for why that should not be done, and I think you keep that  
9 in mind for any future ideas.

10           If it is impossible to protect, to project --  
11 for the project to reach the biggest house with a maximum  
12 floor area ratio, then you just have to settle for  
13 something that's more reasonable and that protects and  
14 respects the historic nature of the site. Its character,  
15 the design, the scale and the massing should be in line  
16 with the property and the surrounding areas. This is only  
17 reasonable. This is being a good neighbor.

18           So I'd also like to mention that there were  
19 more letters written by residents that the staff has not  
20 bothered to make part of the record. Perhaps they  
21 dismissed them as cumulative or repetitive, or I don't  
22 know what the reason, but they didn't bother to mention in  
23 the record.

24           When the project is done, the developer will  
25 move on and sell it, but we'll still be here. This is our

1 home, so please give some consideration to that. Thank  
2 you.

3 MR. MENENDEZ: Thank you. Is there anyone  
4 else who would like to speak in opposition to this case?

5 MR. BERMAN: Yes, there is. My name is  
6 Howard Berman. I live at 501 Alcazar Avenue, and I just  
7 want to express some of the shared concerns that have been  
8 voiced regarding the structural integrity of the house in  
9 the case of a potential move.

10 There seems to be obviously a variety of  
11 questions that need to be clarified and answered, and many  
12 of us feel we would be more comfortable with greater  
13 assurances that the house would not be damaged.

14 But there is also the other question of the  
15 historical integrity of the house in its original location  
16 as envisioned by the architect, H. George Fink, one of the  
17 first generation of architects of the Merrick era when the  
18 community was founded, and I think this bears on the issue  
19 of double, the double lot that we were just talking about.

20 It seems to be implied that as a modest  
21 cottage, this house is not as significant as others and  
22 perhaps its move is not as seriously impacting the  
23 historical integrity of the neighborhood.

24 I think it's really important to remember  
25 that George Merrick's vision was that modestly-priced

1 smaller homes were as essential to what he envisioned  
2 Coral Gables to be as the largest, most lavish mansions,  
3 and he envisioned that every street would have a mix of  
4 smaller and larger homes of different sizes and different  
5 price points so that there would be a richly diverse  
6 community, and I think this cottage is very much a symbol  
7 of that vision.

8           The fact that it is a smaller house on a  
9 larger lot is exactly what Merrick was getting at, that  
10 you didn't have to be a wealthy mansion owner to be able  
11 to have a house that contributed to the look and feel and  
12 integrity of the broader neighborhood, and I just feel  
13 that these are important points to be entered into the  
14 record and they're part of many of our concerns about this  
15 proposal. Thank you.

16           MR. MENENDEZ: Thank you.

17           THE COURT REPORTER: Excuse me. Mr. Berman,  
18 were you sworn in, in the beginning?

19           MR. BERMAN: I did say --

20           THE COURT REPORTER: Thank you, thank you.

21           MR. BERMAN: -- I would swear to tell the  
22 truth.

23           MR. MENENDEZ: Okay. Anyone else who would  
24 like to speak in favor or in opposition?

25           Okay. I'll open it up then for board



1 discussion.

2 MS. KAUTZ: Albert, I would like to bring the  
3 board's attention to additional letters that were received  
4 that were all distributed to you all today to be part of  
5 the record.

6 MR. MENENDEZ: Okay.

7 MS. KAUTZ: I was waiting for the public  
8 hearing to be ended before I did that.

9 There are letters received, you all received  
10 from Claudia Kaufman, Joyce Nelson, Brett Gillis, Karelia  
11 Carbonell, and those are the additional ones that were  
12 received after the last meeting. Those will be part of  
13 the record. They're all in opposition.

14 Can I make two points regarding the public  
15 input, or would you all like to discuss it amongst  
16 yourself first?

17 MR. MENENDEZ: Go ahead.

18 MS. KAUTZ: Okay. My only -- the two  
19 comments I wanted to make is that this property, the only  
20 reason why staff felt compelled to bring this forward was  
21 that this is an incredibly unique scenario in that this is  
22 a wood frame structure. It is not a CBS structure like 99  
23 percent of the houses that are on the historic register.

24 It was actually a surprise to us that this  
25 one was wood framed because its sister house, its twin

1 house is actually concrete block and looks the exact from  
2 the exterior.

3 So setting a precedent by allowing the  
4 structure to be moved is not, is not something that we  
5 think is going to be an issue. There just aren't others  
6 like it out there.

7 And the other point I wanted to bring up was  
8 that the designation report, there's been discussion in  
9 social media about moving the structure and negating the  
10 designation report, and that again is simply not true.

11 The reasons why this property was designated  
12 as historic have to do with its architectural  
13 significance. Both criteria were architectural. There  
14 are in the code aesthetic considerations that can be  
15 given, aesthetic significance that have to do with siting  
16 and sort of landscape, and none of those were cited.

17 The reason the discussion about the size of  
18 this lot wasn't the size, it wasn't, it wasn't designated  
19 because of that. It wasn't, it wasn't designated as the  
20 size of the lot as a criteria.

21 It was actually noted that it was a cottage,  
22 and those are typically on smaller lots. That's the  
23 reason why that portion of the code -- of the designation  
24 report reads as, discusses the lot, because it was an  
25 anomaly.

1                   So I just wanted to -- it will not negate the  
2 designation report by moving the structure, and that's  
3 what I wanted to say. Dona has her hand up, so.

4                   MR. MENENDEZ: Who's got their hand up?

5                   MS. KAUTZ: Dona.

6                   MS. SPAIN: No, I was going to say basically  
7 word for word what Kara just said. It's like we're on the  
8 same wavelength.

9                   The designation report talks about  
10 architectural significance, and that's why it's  
11 designated.

12                   The fact that it's a tiny little cottage on  
13 the lot was noted in the report only because typically  
14 cottages, in order to actually qualify to be on a 65-foot  
15 lot, so that's the only reason. (Inaudible) concern about  
16 it --

17                   MS. KAUTZ: We're losing you, Dona.

18                   MS. SPAIN: -- questions, and by the way,  
19 minor -- oh, sorry. It's my WiFi. It's been going in and  
20 out all day. Can you hear me now?

21                   MS. KAUTZ: Yes. You might want to turn off  
22 your video. It might be -- sometimes it helps if you turn  
23 off the video.

24                   MS. SPAIN: Okay.

25                   MS. KAUTZ: Okay. Try that.

1 MS. SPAIN: Does that help?

2 MS. KAUTZ: Yes.

3 MS. SPAIN: Does that help?

4 MS. KAUTZ: Yes.

5 MS. SPAIN: Okay, perfect. I'd much rather  
6 do it without a video.

7 My concern about, about keeping it where it  
8 is, is that because the criteria for significance that it  
9 was designated on is architectural and its significant  
10 characteristics of this house that they do an addition.

11 So I'm less concerned about moving it. I  
12 don't think it -- as long as it stays the same location,  
13 only 20 feet over, I think that makes a lot of sense  
14 because then the facades on both streets will be visible,  
15 and I think it's important for this house to be seen that  
16 way, and I know it would be difficult otherwise.

17 And I also just want to say that there isn't  
18 a better structural engineer than Doug Wood, so I'm really  
19 happy that he was hired.

20 And could someone speak to the whole idea  
21 about the coral rock and how that would work with moving  
22 it?

23 MR. GOLDSTEIN: I can start, I can start.

24 There are options --

25 THE COURT REPORTER: State your name, please.

1 MR. GOLDSTEIN: This is Greg Goldstein. I  
2 spoke previously.

3 So there are options, different ways to move  
4 the home, and really I'm here looking for guidance from  
5 the board on what's going to make you feel comfortable  
6 allowing this to move forward.

7 We learned from Darius in the building  
8 department that when the home gets moved, we are going to  
9 need to build a new foundation under the home and then  
10 reinforce and upgrade the coral stem wall.

11 There is different possibilities. We could  
12 utilize the existing coral boulders and rebuild with the  
13 existing, rebuild at the new location.

14 We could build a concrete stem wall to put  
15 the frame home on and create veneers from the existing  
16 coral to put on the new stem wall.

17 But it's really, there's different options,  
18 and I can't really make a decision on which way to go  
19 until the board tells me what they want to see or where  
20 they're going to be comfortable.

21 As far as moving the structure, I have  
22 Jamison Brownie if anyone has a question, I think he's  
23 here, to discuss the possibilities of moving the  
24 structure.

25 MS. SPAIN: And just one final thing -- can

1 you hear me?

2 MR. GOLDSTEIN: Yes.

3 MS. SPAIN: Okay. One final thing, and I  
4 want verification from Kara. If the board were to approve  
5 moving this the 20 feet, we're not approving a lot  
6 separation or even an addition. It's just the moving of  
7 the house. We could agree to move the house and deny the  
8 lot separation and whatever addition comes before us.

9 MS. KAUTZ: Correct. They had applied to the  
10 moving of the structure which entailed removing a rear, a  
11 rear garage addition and another addition that's part of  
12 the -- you can see it on the photograph. It's like a  
13 step-down at the rear. It was a later addition.

14 So they're proposing to remove that portion,  
15 move the house over, and then construct another small  
16 addition to the rear which I believe is a master suite or  
17 a master bathroom or something, and a small garage that  
18 faces the side street. So there is a small --

19 MS. SPAIN: So that's all part of this  
20 application?

21 MS. KAUTZ: Yes.

22 MS. SPAIN: Okay.

23 MS. KAUTZ: But any other, any other proposal  
24 beyond what you've seen in the previous August meeting, if  
25 there's, if that changes, then that comes back to you all

1 for anything.

2 MS. SPAIN: Okay.

3 MR. MENENDEZ: Miss Rolando?

4 MS. ROLANDO: Kara, could you also advise  
5 whether, if we approved moving the structure, would this  
6 board have any comments, an opportunity to comment on the  
7 structure that would be proposed for the adjacent lot?

8 MS. KAUTZ: Yes. That's, it's part of the  
9 process. It would be a separate certificate of  
10 appropriateness with a recommendation for new  
11 construction. The entire property remains designated, so  
12 it's under your purview.

13 MS. ROLANDO: Okay.

14 MS. KAUTZ: Again, and this is only to move.  
15 It's a separate process that he needs to go through,  
16 Mr. Goldstein needs to go through.

17 This, even if, for example, if he wanted to  
18 move it over to do a better one story addition to the  
19 existing house that keeps, you know, 90 percent of the  
20 facade intact, that again would come back to you later.  
21 This is just to move it and a small addition that was  
22 initially proposed.

23 MS. ROLANDO: Understood. Thank you for the  
24 clarification.

25 MS. KAUTZ: You're welcome.

1 MS. SPAIN: I have one more thing, and I  
2 apologize.

3 Just about the requirement for historic  
4 properties to be one story additions, that doesn't exist.  
5 The properties have the ability to do a two-story  
6 addition, and that's something the city has never told a  
7 property that they can only do a one story addition, so  
8 that's all. That's all I have.

9

10 MR. MENENDEZ: Mr. Garcia-Pons?

11 MR. GARCIA-PONS: Yes. I have a follow-up to  
12 Miss Rolando's question, and I understand what we're doing  
13 today is specifically about moving the house within the  
14 existing lot.

15 Kara, you mentioned that if there's another  
16 -- if there's something else coming afterwards, it would  
17 be a separate review from this board. Would a lot split  
18 also come to this board, or would that happen elsewhere?

19 MS. KAUTZ: It's a process that happens  
20 elsewhere. It goes through the planning and zoning board  
21 and city commission, but because it's historic, you all  
22 would give a recommendation.

23 MR. GARCIA-PONS: So it cannot be split --  
24 oh, it's a recommendation.

25 MS. KAUTZ: It's a recommendation only.



1 MR. GARCIA-PONS: And then it would go to --

2 MS. KAUTZ: Correct.

3 MR. GARCIA-PONS: -- the commission for final  
4 approval?

5 MS. KAUTZ: Yes. It's a planning and zoning  
6 process. It's a building site determination eventually.

7 MR. GARCIA-PONS: And then as a follow-up for  
8 the chair, if that does happen, and I understand what we  
9 are doing today, if that does happen and the parcel is  
10 split, would the review of a separate parcel of land come  
11 before the historic preservation board?

12 MS. KAUTZ: A review for a new structure?

13 MR. GARCIA-PONS: A new structure.

14 MS. KAUTZ: Absolutely. The lot is still  
15 designated.

16 MR. GARCIA-PONS: The entire lot, even if  
17 it's split into two parcels?

18 MS. KAUTZ: Both lots are still historic  
19 parcels, yes.

20 MR. GARCIA-PONS: Okay, and I do have a  
21 couple other questions, but I'll pause, Albert, if  
22 somebody else wants to ask.

23 MR. MENENDEZ: Mr. Fullerton.

24 MR. FULLERTON: Well, excuse me. I'm very  
25 much against moving this building. I have great respect

1 for a friend, my friend, Doug Wood. We've done a lot of  
2 work together over the last 40 or 50 years. I don't know  
3 how old you are, Doug, but I've been here 50 years, and  
4 I've read the feasibility assessment. Well done, nicely  
5 put together.

6           However, there's so many places where you  
7 really don't know what's going to happen when it starts  
8 getting moved, and the fact that that frame structure is  
9 sitting on top of the rock wall complicates the matter  
10 even further.

11           If it was, if the frame structure went all  
12 the way down to a foundation and could be moved  
13 separately, then you could work out how to carefully move  
14 this, the stem wall. That might be a different story.

15           But I think, I think the intrinsic activity  
16 of or movement of a very, very immovable structure, a  
17 wood-framed structure with stucco on the outside, is, it's  
18 impossible. It is not going to happen with any degree of  
19 assurance that what you end up with is not a re-stuccoed  
20 building which will take away a lot of its character, and  
21 then rebuilding of that stone wall which is difficult, to  
22 say the least, because the craftsmanship that built that  
23 wall doesn't exist anymore, I don't think.

24           There may be some old-time stone masons that  
25 could possibly put it together, but it wouldn't have the

1 same character, in my view.

2                   Secondly, I think there's no reason to move  
3 it to make a feasible and viable project out of it, that  
4 is you've got a 35-foot building space behind it for a  
5 very, very reasonable addition to this building without  
6 putting another house on that lot next to Mrs. Brannigan.

7                   I think that's one of the worst things  
8 that could happen over this whole project, of this whole  
9 process, is to move it over, take away the historic  
10 context in which it has been for so long, and then put  
11 another house behind it, potentially two stories. I  
12 think, I think that's really, really the main problem.

13                   If we let it move and then it goes to some  
14 other board, the zoning board to determine whether it can  
15 be lot split, they could, with all respect to the owners  
16 -- and you know, I'd probably do the same thing. I would  
17 fight if the zoning board said no because I wouldn't have  
18 any reason to -- the house wouldn't be a reason why I  
19 couldn't split it because then we've allowed this to  
20 happen.

21                   So there would definitely be a lot split  
22 asked for at some point in the future, and if not, then  
23 why not just do the, build the addition so you could have  
24 a more expensive home to sell or to make a project from?

25                   I just, I can't see any plus for the

1 neighborhood in changing this house location and the  
2 potential ramifications therefrom, thereof, so that's my  
3 two cents.

4 MR. MENENDEZ: Okay. I've got a question for  
5 Mr. Gibb.

6 MR. GIBB: Yes.

7 MR. MENENDEZ: My question is what is  
8 limiting you right now in completing the project the way  
9 that the building sits today on the property?

10 MR. GIBB: You're asking why can't we just do  
11 the master bedroom and garage addition in its current  
12 location?

13 MR. MENENDEZ: Correct.

14 MR. GIBB: The feasibility of a return, I  
15 guess.

16 I mean, you certainly could build a one  
17 bedroom and a garage addition to the house, but it would,  
18 in our view, underutilize the potential of the property,  
19 so that's why we always looked at a way of creating a rear  
20 yard to the property.

21 We always wanted to give some additional  
22 thought to using the empty space in the rear and east of  
23 the property.

24 Plus also the house is designed to be a small  
25 house. You walk in one room, you go to the living room,

1 you go to the dining room, and then the bedrooms follow  
2 on, so the idea of being able to sort of develop into a  
3 house which had additional larger spaces kind of meant we  
4 had to sort of encompass the property, so we always looked  
5 at doing additions sort of to the middle and sides, and  
6 really that's where we sort of came up against this  
7 feeling that the elevation to Segovia shouldn't be reduced  
8 in any way.

9                   But the answer to the question is obviously  
10 if the addition sits on one lot, it also sits on two, but  
11 it's a question then of, I think someone was mentioning  
12 about how it would not be beneficial to the neighborhood.  
13 I'm not 100 percent sure that's correct.

14                   I think that if you, if you manage to move  
15 the property, develop the property, and in a certain  
16 extent it would be beneficial because it would add  
17 something to the property, to the neighborhood. I don't  
18 think moving it would be detrimental. I don't think  
19 adding a structure is detrimental. It's in keeping with.

20                   So we're always looking for a way to use the  
21 potential of the area architecturally and in an area, so  
22 that's why we didn't choose just to do a one-room addition  
23 to the property.

24                   MR. MENENDEZ: So the setbacks are not an  
25 impediment to you to complete this project?

1                   MR. GIBB: The current setbacks, or the  
2 zoning setbacks?

3  
4                   MR. MENENDEZ: The zoning setbacks we have  
5 today.

6                   MR. GIBB: All right. So the zoning setback  
7 is 15 feet from Segovia, so we could -- so as soon as you  
8 build two of the setbacks, then you're starting impeding  
9 on or enclosing the property or enclosing the feel of the  
10 house.

11                   So, but certainly we could, by code, what we  
12 -- you know, there are lots of things you are limited in  
13 doing. There was also minimums that you would have to do,  
14 so developing the property would have to include a garage  
15 of some description, and we looked at various options on  
16 where that would be located.

17                   But currently the required zoning setbacks do  
18 not stop us from doing a small addition. It's a question  
19 of whether that makes a reasonable use of the potential of  
20 the property.

21                   MR. MENENDEZ: Okay. Kara, as a board, can  
22 we issue a variance on setbacks? I didn't hear that.

23                   MS. KAUTZ: Yes, yes.

24                   MR. MENENDEZ: Okay. So Mr. Gibb, if you  
25 needed some space and we could give you a variance on the

1 setback, for instance, would that help you and your client  
2 in --

3 MR. GIBB: Well, sorry. I should say that  
4 the, currently the rear setback of the property is ten  
5 feet, so the proposal we have which locates the garage in  
6 the rear with the mechanical equipment also in the rear,  
7 that would need a rear setback adjustment.

8 MR. MENENDEZ: Okay.

9 MR. GIBB: So yes, so that --

10 MR. MENENDEZ: Which would come to us and we  
11 would --

12 MR. GIBB: Right, and that sort of goes hand  
13 -- in the past, a project I've been involved with, we  
14 proposed the addition and everybody, and the board is  
15 limited to grant the addition and the variation at the  
16 same time.

17 MR. MENENDEZ: Exactly, so that would help  
18 you if you had it, if you were able to get a variance.

19 MR. GIBB: Yes. The current addition as  
20 drawn requires a rear setback.

21 MR. MENENDEZ: Okay, okay.

22 MR. GIBB: Unless, unless it's actually a  
23 cottage. If it is a cottage, then it doesn't need a  
24 variance. If it isn't a cottage, then it does.

25 MR. MENENDEZ: Understood. Okay. Thank you.

1 Mr. Rodriguez, what do you have to say?

2 MR. RODRIGUEZ: I was on mute. I have read  
3 this report, the feasibility study, and I'm not going to  
4 go through it line by line.

5 I'm just very concerned with the fact that it  
6 doesn't really conclude that this can be done, nor does it  
7 conclude that the structure would remain intact.

8 In fact, there is language that's all, it's  
9 all cast in passive voice: "It may be determined that,"  
10 "If it is determined to be continue using," "It may be  
11 possible to," "It will likely be."

12 None of that gives me a lot of comfort that  
13 when this is -- that the project will be moved and that  
14 the house will be intact, it will be, it will be  
15 historically accurate by the time it is moved.

16 But putting aside this issue of the  
17 feasibility of moving it, I would echo everything that  
18 John Fullerton has said. He's very articulate and he's an  
19 architect, and I'm not going to try to speak any further  
20 to the issues that he addressed. I endorse him  
21 completely.

22 I would like, however, to read into the  
23 record, for the record, if this goes before the  
24 commission, I want this to be on the record. This is a  
25 letter that was dated August the 18th, 2020, from the



1 Florida Trust for Historic Preservation of Housing.

2 And it reads in the second paragraph that,  
3 "The lot itself is a significant characteristic of the  
4 historic resource. Any relocation (inaudible) with the  
5 city's 2005 historic designation of the property,  
6 negatively impact the historic integrity, and create a  
7 precedent that will be detrimental to preserving historic  
8 resources in the future."

9 I agree with that statement and I would like  
10 to make sure it is in the record.

11 And one final point, there's been a lot of  
12 talk about preserving the historical integrity of the  
13 structure, and I believe that the best way to preserve the  
14 historical integrity is not to move it, and I will not  
15 support a move, a motion to endorse the moving of the  
16 house.

17 MR. MENENDEZ: Okay. Mr. Ehrenhaft?

18 MR. GIBB: Albert, can I ask a question?

19 MR. MENENDEZ: Yes. Go Ahead.

20 MR. GIBB: Kara, the report that's been  
21 cited, the 2005 designation, was that done in conjunction  
22 with a previous design addition?

23 MS. KAUTZ: It was taken with an accelerated  
24 certificate of appropriateness, yes.

25 MR. GIBB: So the report was done because

1 they came forward with the addition?

2 MS. KAUTZ: It was done at the same time. I  
3 don't know if it was, if they were designating it because  
4 they were doing an addition and needed something. They  
5 were taken at the same time. I can't answer the reason  
6 why, sorry.

7 MR. GIBB: Well, it wasn't designated prior  
8 to that?

9 MS. KAUTZ: No, it was not. The designation  
10 report and the certificate of appropriateness came at the  
11 same time, in 2005.

12 MR. GIBB: Right, and then the addition that  
13 was proposed in 2005, that was done the same time, round  
14 about same time?

15 MS. KAUTZ: Yes. It was approved at the same  
16 meeting, yes.

17 MR. GIBB: Okay. So I think it should be  
18 noted that that addition obscured almost everything about  
19 the house except for the front section, the gable section.

20 MS. KAUTZ: Yes. We showed the board at the  
21 last, at the August meeting this drawing. If they would  
22 like to see them again, I'm happy to show them.

23 MR. GIBB: It was agreed in our meeting that  
24 a similar-type addition would not be approved.

25 MS. KAUTZ: Correct.

1                   MR. GIBB: That's one of the reasons why, in  
2 answer to Albert's question, we were, you know, we had  
3 seen what was done before and we were trying to do  
4 something different.

5                   MS. KAUTZ: Right.

6                   MR. RODRIGUEZ: Mr. Chairman?

7                   MR. MENENDEZ: Mr. Rodriguez.

8                   MR. RODRIGUEZ: If I may respond to that,  
9 we're here looking at the request to move the historic  
10 property, the house. We're not here to review what was  
11 done in the past or what will be done in the future should  
12 the lot be split, so I'm not sure that what was just said  
13 is really relevant to our consideration.

14                   MR. MENENDEZ: Okay, so noted.  
15 Mr. Ehrenhaft?

16                   MR. EHRENHAFT: I too have reservations  
17 about, having read the feasibility report, and I believe  
18 the expert's comments on behalf of on the owner and even  
19 Mr. Goldstein also, have indicated that the coral rock  
20 wall itself may have to be dismantled.

21                   It might -- and I don't know whether that  
22 means that it's going to be block by block of coral rock  
23 that happened to be in the original construction and it  
24 becomes a pile of coral rock, or whether large sections of  
25 the wall, the coral rock wall that sit below the floor,

1 the floor joists could be somehow cut out and left in  
2 large sections and moved undisturbed.

3 But I have severe concerns that the base wall  
4 which is a major part of the aesthetic of the building  
5 will be destroyed and have to be reassembled and not have  
6 the same, the same character.

7 And I am also concerned, as Mr. Fullerton  
8 said, that if the plaster is damaged in moving, that there  
9 may be difficulties in making a properly aesthetically  
10 correct repair to it, because we never want the entire  
11 facades of buildings re-stuccoed. Kara, if I may, may I  
12 ask a question of you?

13 MS. KAUTZ: Yes.

14 MR. EHRENHAFT: Okay. My understanding was  
15 that there had been a proposal under a prior owner and  
16 they were looking to do what was essentially a massive  
17 two-story addition that was going to totally envelop and  
18 essentially consume the cottage and that that did not go  
19 forward, and that Mr. Goldstein with Mr. Gibb's assistance  
20 were looking at doing a more sensitive one, one-story  
21 addition behind the cottage. No?

22 MS. KAUTZ: No.

23 MR. EHRENHAFT: They were doing, they were  
24 proposing --

25 MS. KAUTZ: It went through, it went through

1 several iterations. Portions of it, and Greg or Callum,  
2 please correct me if I'm wrong, portions of it were one  
3 and a half to two stories, if I'm not mistaken, but it was  
4 substantial, and the addition that was proposed would have  
5 compromised about 60 percent of the wood frame structure  
6 by nature of sort of, by nature of sort of wrapping the  
7 structure in order to utilize the property because of the  
8 way it sits, which was a concern for us.

9 MR. EHRENHAFT: So it was going to make it  
10 basically a U-shape and come forward on the side facades  
11 and eat the back of the house?

12 MS. KAUTZ: Well, we were working with them  
13 to avoid that because we wanted, what was really important  
14 to staff also was that that corner view is important. We  
15 felt that it was very important, that that Segovia facade  
16 and the front facade were almost equally important because  
17 of where it sits, how it sits.

18 And so part of the reason why we were  
19 suggesting that if it were -- or not suggesting; we were  
20 comfortable with it being moved towards Segovia is that is  
21 maintained and it gives you the remainder of the lot to  
22 work with. That was, there were numerous iterations, but  
23 the way, the way you would have to attach to the framed  
24 house was problematic for us.

25 MR. EHRENHAFT: But they were, they're not

1 interested in or not willing, from your understanding, to  
2 do the very same addition that we saw that was the more  
3 modest one story addition --

4 MS. KAUTZ: Yes.

5 MR. EHRENHAFT: -- that we saw in the  
6 drawings from August that would be attached to this  
7 cottage?

8 MS. KAUTZ: Right. I can't speak -- I can't  
9 answer that question for you. That's Mr. Goldstein.

10 MR. GOLDSTEIN: Yeah. I understand what  
11 you're saying. It's just hard for me to move forward with  
12 a scenario that I could build on a 5,200-square-foot lot,  
13 and then build that same exact house on an  
14 11,250-square-foot lot.

15 It just doesn't make sense as far as  
16 utilizing the property, and that's why we came up with  
17 this solution.

18 But as far as just a little back story, when  
19 I purchased the home, I did research and I pulled the  
20 records of that plan that was approved by the previous  
21 owner, so when Callum and I began, we moved in that  
22 direction because I had seen that this plan was already  
23 approved that really was just leaving that front gable  
24 exposed but was wrapping the entire house, you know,  
25 everywhere else.

1                   And Kara and Dona, you know, going through  
2 the process, they were the ones that kind of educated me  
3 on, you know, what they wanted to see and what was  
4 historically appropriate, and we tried several times.

5                   But you know, I also wanted to get a certain  
6 amount of bedrooms, I think it was four bedrooms on this  
7 lot, and it was just very, very difficult to do that, and  
8 that's how we ultimately moved in this direction.

9                   And just one other thing about the setback.  
10 It's not just the side setback that was an issue. It was  
11 that we -- the historical department did not want us to  
12 build anywhere on Segovia Street. We would have to start  
13 building behind the existing structure, so it's not just  
14 the zoning issue. It's also because of that actual  
15 property that made it difficult for us to figure out where  
16 this addition was even going to be situated.

17                   MR. MENENDEZ: Mr. Rodriguez?

18                   MR. RODRIGUEZ: Mr. Chairman, I have to  
19 object again.

20                   We were told at the very beginning of this  
21 discussion that we could not discuss what would be done  
22 with the other half of the parcel if it were split. We  
23 had plans from the last meeting. We know what they were  
24 going to suggest.

25                   We were told that should be an irrelevant

1 discussion at this meeting. This is only whether the  
2 cottage will be moved or not moved.

3 All this discussion of what could be done or  
4 has not been done or could have been done is irrelevant to  
5 this discussion of whether or not --

6 MR. GOLDSTEIN: I would like, I would like to  
7 just state if the city attorney, if the city attorney  
8 could just confirm that the Coral Gables code does require  
9 you to consider the alternatives when making this decision  
10 on whether to move the home. That's part of the code  
11 section.

12 MR. MENENDEZ: Mr. Ceballos?

13 MR. CEBALLOS: I would have to defer to Kara.  
14 I'm not aware of any code section that specifically speaks  
15 to moving a home, but I will confirm with the board member  
16 that what is up for discussion right now is not what  
17 can or cannot be built in the future, but specifically the  
18 COA is for the relocation of the home, and let me read it  
19 directly, for the residence, the addition and all pending  
20 site work.

21 Nothing else is supposed to be considered  
22 with this particular item or this particular COA.

23 MR. MENENDEZ: Okay.

24 MS. KAUTZ: Right. The code section, just so  
25 you all know, is 3-1109, Moving of Existing Improvements,



1 and I'll read it into the record so you all can hear it.

2 "The moving of significant improvements from  
3 their original location shall be discouraged. However,  
4 the historic preservation board may grant a special  
5 certificate of appropriateness if it finds that no  
6 reasonable alternative is available for preserving the  
7 improvement on its original site and the proposed  
8 relocation site is compatible with the historic and  
9 architectural integrity of the improvement."

10 So in terms of talking about alternatives to  
11 the move, I think that's what Mr. Goldstein was  
12 addressing.

13 MR. MENENDEZ: Okay. Miss Bache-Wiig?

14 MR. RODRIGUEZ: Wait. What we're discussing  
15 here, there's been no discussion of whether or not this is  
16 a reasonable or unreasonable relocation of this property  
17 or the need for it. All that's been thrown out is if  
18 we're going to allow the cottage to be moved 20 feet to  
19 the east.

20 We have no discussion here about what are the  
21 reasonable alternatives. The reasonable alternative is to  
22 leave it where it is.

23 MR. MENENDEZ: Okay. Miss Bache-Wiig?

24 MS. BACHE-WIIG: Hi. Sorry. I just want to  
25 go back a little bit and just say, you know, I think I

1 appreciate, you know, staff's outside-of-the box thinking,  
2 you know, towards this item and having the structure  
3 moved, you know, as being an alternative.

4 I really do understand that the concerns are,  
5 you know, that corner view from Segovia and maintaining  
6 that existing siting, you know, if you will, that you get  
7 from that perspective or maintaining that perspective you  
8 get from the siting that's there right now.

9 And I do appreciate that we, you know,  
10 decided to go to the feasibility report and that that  
11 report came to us and we were able to look at it. You  
12 know, it's very thorough, but I do have concerns about the  
13 actual moving of the structure and the repercussions that  
14 would come from physically moving that structure.

15 I believe that, you know, our board and staff  
16 can come up with a reasonable solution to the site. I  
17 have faith in the board like many -- we have an echo.

18 Okay. I just have faith that we can come up  
19 with something that's reasonable like we have many times  
20 before, and so in principle I would not be supporting the  
21 item to move the structure.

22 MR. MENENDEZ: Okay. Mr. Durana?

23 MR. DURANA: I agree pretty much along with  
24 what Alicia just said.

25 You know, while I do appreciate and I

1 understand the homeowner's, you know, dilemma, and I  
2 appreciate that, you know, they thought a little bit  
3 outside the box trying to think of a better way to salvage  
4 the house than moving it. I just don't feel comfortable  
5 moving that house without it potentially being damaged.

6 And I just don't know -- I also don't see a  
7 real hardship for moving the house or any sort of imminent  
8 danger to the house, you know, if the house -- in those  
9 situations, I think I would lean towards moving the house  
10 if there was some sort of potential damage that could  
11 happen to the house. I think one of the previous people  
12 mentioned like a sinkhole or something like that or water,  
13 you know, you know, sea level rise or something.

14 But you know, to move it because we don't  
15 love the way an addition is going to look, I don't think  
16 that's the right precedent to set, you know, going  
17 forward.

18 MR. MENENDEZ: Okay. Miss Rolando, do you  
19 have anything to add? No. Mr. Garcia-Pons?

20 MR. GARCIA-PONS: Thank you. So Kara, I just  
21 want one point of clarification, and then a couple of, a  
22 couple of comments.

23 This application, as Mr. Ceballos mentioned,  
24 is for the relocation of the residence, the addition and  
25 the site work, so this includes the garage additions that

1 would be moving over that includes that setback in the  
2 rear, that eight and a half feet, so just to be -- it's  
3 just not moving the house. It's the moving and the new  
4 addition, right?

5 MS. KAUTZ: Correct, as proposed.

6 MR. GARCIA-PONS: Thank you. So I appreciate  
7 city's staff's recommendation. I appreciate the intent by  
8 which the applicant and city staff are proffering moving  
9 of the residence in order to protect the structure, I  
10 think as Miss Bache-Wiig had mentioned, protecting the  
11 view from both of the streets which protects the building  
12 and that corner, right, the entire both streets of the  
13 corner.

14 I'm having a little bit of trouble with the  
15 no reasonable alternative is available portion of that  
16 section that you mentioned, Kara, and I know that I had  
17 the same issue at the last meeting, and Miss Spain had  
18 mentioned the idea that it also includes historic  
19 preservation as a consideration, right, so that actually  
20 helped me think about this in a slightly new way.

21 My concern of this is the impact on, what the  
22 impact of the move and the addition would do if we  
23 approved this certificate of appropriateness. It would  
24 then preclude any other future certificates of  
25 appropriateness that would be I think amenable to the

1 existing or the moved project, specifically access to the  
2 site.

3                   So right now I can see the site just off one  
4 street. If somehow this project is moved over, there  
5 would not be any access to the site other than through the  
6 other street. I think that is a major issue with the lot  
7 and the structure.

8                   And unless this is seen more as a certificate  
9 of appropriateness for the entire lot, I would probably be  
10 against this move because if I don't see the imminent  
11 reasonable alternative that may not be available, but I am  
12 100 percent amenable to the idea, and I appreciate what  
13 city staff is doing. I'm concerned that it has a negative  
14 impact on the structure and the site going forward.

15                   MR. MENENDEZ: Okay. Miss Spain?

16                   MS. SPAIN: Hi. I just wanted to clarify  
17 that although I was in the department when this first came  
18 forward with an addition, a large addition, I was not part  
19 of conversations having to do with this application to  
20 move it or to split a lot. I just need to have that on  
21 the record because I was not part of this, these  
22 applications at all.

23                   And having said that, I was looking at these  
24 plans, and I agree with Cesar. I wish it had come forward  
25 to us with just the move and so then, then I would be

1 comfortable, more comfortable, although the coral rock  
2 really bothers me. That whole situation with the wood  
3 structure on top of it is concerning.

4           But the fact that they've done these  
5 additions to make this actually a contained property,  
6 having everything they want on a small little house and  
7 then this empty lot next to it, it's a concern, because  
8 then if, in fact, we were to recommend against the lot  
9 separation, then they would have this empty lot. I guess  
10 they could put a pool, but it's almost like they're  
11 anticipating that being approved, and I have a problem  
12 with it. Anyhow, that's all, that's all I have.

13           MR. MENENDEZ: Any more comments from any of  
14 the board members or any of the audience?

15           MR. GOLDSTEIN: Can I just say, Mr. Brownie  
16 of Brownie Structural Movers --

17           MR. MENENDEZ: Miss Bondurant, please.

18           MS. BONDURANT: It concerns me a little bit  
19 that the gentleman, Mr. Goldstein, clearly knew this was a  
20 historic property when he bought it, did he not?

21           MR. GOLDSTEIN: Of course I did, yes.

22           MS. BONDURANT: Okay. That's just my point.  
23 It's easier to ask forgiveness than it is to ask for  
24 permission, and I just feel like going in, you knew it was  
25 an "iffy" situation, I assume.

1                   You're a very smart man, You've done your  
2 homework, but it was a designated property when you bought  
3 it, so.

4                   MR. MENENDEZ: Okay. Anybody else have any  
5 comments?

6                   MR. GOLDSTEIN: I just want to say, I think  
7 my, the lobbyist I have here, Jamison Brownie from Brownie  
8 Structural is trying to speak but has been muted.

9                   MR. MENENDEZ: He can go ahead and speak. He  
10 needs to unmute himself.

11                   MR. GOLDSTEIN: Okay.

12                   MR. BROWNIE: Yes. This is Jamison Brownie  
13 with Brownie Structural Movers. Can you hear me?

14                   MR. MENENDEZ: Yes, we can. Go ahead.

15                   MR. BROWNIE: Yes. I keep hearing everybody  
16 saying that the structure is, won't make the anticipated  
17 move structurally. That is a completely false statement.

18                   We have moved several structures. I am  
19 actually a fourth-generation building mover. My family  
20 has been moving structures since 1922, and relocating a  
21 stucco wood frame home is completely feasible.

22                   We've actually relocated a 950-ton hollow  
23 clay tile structure on Star Island in Miami Beach with no  
24 issues to it whatsoever.

25                   And as far as the coral rock stem wall, that

1 can be, we can shore the entire structure, shore the house  
2 up, and remove that coral rock piece by piece. It's laid  
3 up in a pattern that is very easy to replicate with the  
4 same stone.

5 So I know a lot of people had some  
6 reservations about the structural integrity, so just to  
7 put everybody's mind at ease, that structure is a very  
8 easy and simple structure to relocate without any  
9 structural issues arising from the relocation.

10 MR. MENENDEZ: Okay. Thank You. Anyone  
11 else?

12 MR. FULLERTON: I think it would be, have  
13 been a good thing if Mr. Wood had talked to you. In his  
14 report, unfortunately he never said anything like it would  
15 be easy to do, I mean, and I understand why. He's a smart  
16 man. He's been around.

17 And moving something like that I think is  
18 just basically -- I don't want to say anything against  
19 your business, Mr. Jamison, but I don't see, I don't see  
20 how it can't be an issue at some point, and for that  
21 reason I would like to make the motion to deny the  
22 application for moving this building.

23 MR. MENENDEZ: Okay. Do we have a second?  
24 Miss Bche-Wiig seconds it. Unmute.

25 MS. BACHE-WIIG: I second the motion.



1 MR. MENENDEZ: Okay. Can we get a vote?

2 MR. RODRIGUEZ: What is the motion?

3 MR. MENENDEZ: To deny.

4 THE ADMINISTRATIVE ASSISTANT: A motion to  
5 deny?

6 MR. FULLERTON: The application for moving  
7 the structure.

8 THE ADMINISTRATIVE ASSISTANT: Okay.  
9 Mr. Rodriguez?

10 MR. RODRIGUEZ: Yes.

11 THE ADMINISTRATIVE ASSISTANT: Miss Rolando?

12 MS. ROLANDO: No.

13 THE ADMINISTRATIVE ASSISTANT: You do want to  
14 move it?

15 MS. ROLANDO: Yes.

16 THE ADMINISTRATIVE ASSISTANT: Okay. Miss  
17 Spain?

18 MS. SPAIN: I'm going to vote no. Is this  
19 just --

20 THE ADMINISTRATIVE ASSISTANT: Mr. Fullerton?

21 MS. SPAIN: I'm sorry. Is this just for the  
22 move, or is this for the move and the addition?

23 THE ADMINISTRATIVE ASSISTANT: Yeah. This is  
24 to, this is to not approve the move. The motion was not  
25 to approve the move.

1                   MR. CEBALLO: Pardon my interruption. Kara,  
2 is it possible for the addition and the site work to be  
3 done without the move?

4                   MR. FULLERTON: Sure.

5                   MS. KAUTZ: Yes, and they can also do the  
6 move without the addition and site work.

7                   MR. CEBALLOS: So do we know if the  
8 applicant --

9                   MS. SPAIN: I'm back to my question then. Is  
10 this, is your motion, John, just about the move, or is it  
11 about the whole application?

12                   MR. FULLERTON: It's about the move. The  
13 application -- I mean the addition, I have no problem  
14 with.

15                   MS. SPAIN: Okay. So I'm going to stick with  
16 the "no."

17                   THE ADMINISTRATIVE ASSISTANT: Okay. So if  
18 you vote no, you agree to the move.

19                   MS. SPAIN: Yes.

20                   THE ADMINISTRATIVE ASSISTANT: If you vote  
21 yes, you do not agree to the move.

22                   MS. SPAIN: No. I am agreeing to the move, I  
23 am agreeing to the move because I am voting no.

24                   MR. FULLERTON: Okay. That's confusing me.

25                   MS. BACHE-WIIG: No. That's not what I --

1                   MR. MENENDEZ: Okay. The motion is not to  
2 move the property. If you say yes, you agree that you do  
3 not want to move the property. If you say no, you want to  
4 move the property. Is everybody clear on that? Okay,  
5 let's continue.

6                   MR. EHRENHAFT: But it's not just the move.  
7 It's also the entire --

8                   MR. MENENDEZ: No. We're just talking about  
9 the move here.

10                  MR. EHRENHAFT: I thought it was --

11                  MS. ROLANDO: It's just the move.

12                  MR. MENENDEZ: We're just talking about the  
13 move here.

14                  THE ADMINISTRATIVE ASSISTANT: It's just the  
15 move. It's just --

16                  MR. EHRENHAFT: Okay. I misunderstood  
17 because I thought we were told that it included the  
18 addition that had been provided.

19                  MS. SPAIN: That's not what the motion is.  
20 The motion is to not move.

21                  MR. FULLERTON: The motion is to, my motion  
22 is to deny the move of the house.

23                  MR. EHRENHAFT: Okay.

24                  MS. BACHE-WIIG: I second Mr. Fullerton's  
25 motion.

1 THE ADMINISTRATIVE ASSISTANT: Who is that,  
2 Miss Bache-Wiig?

3 MS. BACHE-WIIG: Yes.

4 THE ADMINISTRATIVE ASSISTANT: Okay, all  
5 right. Mr. Rodriguez voted yes --

6 MR. RODRIGUEZ: Correct.

7 THE ADMINISTRATIVE ASSISTANT: -- that he did  
8 not want to move.

9 Miss Rolando voted no, that she agrees to the  
10 move.

11 Miss Spain voted no, that she approved,  
12 agrees to the move. Mr. Fullerton?

13 MR. FULLERTON: No -- I mean yes.

14 THE ADMINISTRATIVE ASSISTANT: Yes, you do  
15 not approve the move. Okay? Miss Bache-Wiig?

16 MS. BACHE-WIIG: Yes, I do not approve the  
17 move.

18 THE ADMINISTRATIVE ASSISTANT: Okay.

19 Mr. Durana?

20 MR. DURANA: Yes, I do not approve the move.

21 THE ADMINISTRATIVE ASSISTANT: Mr.

22 Garcia-Pons?

23 MR. GARCIA-PONS: Yes, I do not approve the  
24 move.

25 THE ADMINISTRATIVE ASSISTANT: Mr. Ehrenhaft?

1 MR. EHRENHAFT: Yes, do not approve the move.

2 THE ADMINISTRATIVE ASSISTANT: Mr. Menendez?

3 MR. MENENDEZ: Yes. I do not approve the  
4 move.

5 THE ADMINISTRATIVE ASSISTANT: Okay. So we  
6 have seven yes's and two no's. The motion has passed.

7 MR. GARCIA-PONS: Mr. Chairperson?

8 MR. MENENDEZ: Yes.

9 MR. GARCIA-PONS: Does anybody wish to  
10 make another motion? Because all we did was move to not  
11 move the building, which it seems like a really odd motion  
12 to have made.

13 So I don't know if anybody has another  
14 thought as to a motion that we can pass, or perhaps  
15 through the chair if the applicant wants to proffer  
16 another option.

17 MR. MENENDEZ: Well, right now, it's, we have  
18 denied the move, and now we've got to vote on the  
19 addition, correct?

20 MR. GARCIA-PONS: That's, I think the  
21 question is we have a certificate of appropriateness that  
22 we've cut into pieces, so I'm not sure --

23 MS. KAUTZ: We now leave the house exactly as  
24 it is.

25 MR. GIBB: We have the option to come back

1 with an addition to the house in its existing location  
2 then.

3 MS. KAUTZ: Yes.

4 MR. CEBALLOS: The way that it currently  
5 stands, the board has only decided in part about the  
6 relocation. They've denied the relocation.

7 I would suggest that we ask the applicant if  
8 the applicant would like for the board to consider the  
9 addition and site work in its current location.

10 If he chooses yes, then the board can take  
11 the item and basically vote on the COA in two separate  
12 parts.

13 If the applicant wishes to withdraw, does not  
14 want those items to be considered because it was all  
15 conditional on the residence, that's his choice.

16 MR. MENENDEZ: Mr. Goldstein, what would you  
17 like to do?

18 MR. GOLDSTEIN: Well, the proposed addition,  
19 the additional bedroom and garage in its current, in the  
20 location we proposed, it would not make sense at this  
21 point without moving the home, so we can withdraw that  
22 part of the application.

23 MR. MENENDEZ: Okay. So you would like to  
24 regroup and come back?

25 MR. GOLDSTEIN: I guess. That's all I can

1 do. Yes.

2 MR. MENENDEZ: All right.

3 MR. FULLERTON: I think, if I can make a  
4 quick statement, I think you have a lot of opportunity to  
5 do an addition to that home to the east -- to the west and  
6 to the north, so I wouldn't -- I really think something  
7 significant could be done with that house.

8 MR. GOLDSTEIN: That's what I thought, that's  
9 what I thought when I bought the property, but I'm going  
10 to regroup and figure out how to proceed. I appreciate  
11 everyone's attention.

12 MR. FULLERTON: You've got 35 feet behind you  
13 to the east-west. That's a pretty good size space.

14 MR. GOLDSTEIN: But it's a like a "T." I  
15 didn't want to build a "T."

16 MR. FULLERTON: No, not a "T," not a "T."

17 MR. GOLDSTEIN: Okay.

18 MR. FULLERTON: But anyway, that's for you  
19 and Mr. Gibb. Mr. Gibb is a very talented architect. I  
20 know he can help you do this.

21 MR. MENENDEZ: All right, Mr. Goldstein,  
22 thank you. We'll see you back soon.

23 MR. GOLDSTEIN: Great. Thank you.

24 MR. MENENDEZ: Okay, okay. The next item up  
25 is Case File COA (SP) 2020-013, an application for the

1 issuance of a special certificate of appropriateness in  
2 accordance with Section 3-1104 (D)(2) of the City of Coral  
3 Gables zoning code for the public right of way adjacent to  
4 244, 250, 272 and 290 Valencia Avenue, and 247 and 297  
5 Almeria Avenue legally described as the west 265 feet of  
6 alley, Block Ten, Coral Gables Craft Section, according to  
7 the plat thereof as recorded in Plat Book Ten, Page 40, of  
8 the public records of Miami-Dade County, Florida.

9           The applicant is requesting recommendation of  
10 approval for an amendment to the city plan for the  
11 vacation of the alley. Kara?

12           MS. KAUTZ: Thank you. This is the location  
13 map of the alleyway in question. It is, like he said, the  
14 west 265 feet of the public right of way bisecting Block  
15 Ten between Salzedo and Ponce.

16           So this is the first amendment that we have  
17 to the city plan that's being requested. I don't have  
18 anything. Laura, Miss Russo, did not present a Power  
19 Point. I'm going to take this down. I believe she'll be  
20 walking you through your, what was provided to you in the  
21 packets.

22           We did want to note that this, each  
23 application for the amendment to the city plan will be on  
24 a case-by-case basis, so I wanted you to know that any  
25 approval that is given or consideration given to this item



1 does not set a precedent for future applications, just to  
2 put that out there.

3                   Laura, would you like to begin your  
4 presentation?

5                   MS. RUSSO: Yes, thank you.

6                   MS. KAUTZ: And we'll discuss it after.

7                   MS. RUSSO: Thank you very much, Kara. Good  
8 evening, Mr. Chair, members of the board. For the record,  
9 Laura Russo with offices at 2334 Ponce de Leon Boulevard.  
10 I am here --

11                   MS. KAUTZ: You need to be sworn in. I'm  
12 sorry.

13 (Thereupon, Ms. Russo was duly remotely sworn on oath.)

14                   MS. RUSSO: I am here this evening  
15 representing Brockway, Limited, and Brockway Valencia,  
16 Limited, who are the owners of Lots One through 12 and 35  
17 through 46 that abut the alley in question. Block Ten is  
18 bounded on the north by Valencia Avenue, on the west by  
19 Salzedo, and on the south by Almeria Avenue.

20                   For those of you very familiar with downtown  
21 Coral Gables, the area in question is the site of the  
22 Mercedes Benz parking lot. It currently holds some  
23 inventory and two small buildings.

24                   The owners of the property are requesting  
25 that the alley from Salzedo eastward, 265 feet, be

1 vacated, and are offering a substitute access and utility  
2 easement of 35 feet in width that will run south to  
3 Almeria.

4           To give you a little background, we've been  
5 working with Hermes Diaz at public works and Paul Rodas  
6 and his department in submitting the substitute access  
7 easement which will be perpetual. We are doing this  
8 because we are in a contract with the City of Coral Gables  
9 and with a Hudena (phonetic) entity that is looking to  
10 substitute their acquisition of the old police station and  
11 take over this site and Mercedes would move to the old  
12 police station.

13           So this is in preparation for any development  
14 that might occur at that time. There is no current  
15 development that is being sought at this time, and the  
16 proposed amendment that was worked on by Miriam Ramos,  
17 city attorney, had conditions that would make the alley  
18 vacation be effective upon the presentation and approval  
19 of plans, site plan approval for development of the  
20 property.

21           And so I am happy to answer any question that  
22 I am able to answer, and you know, obviously this is done  
23 as a precursor for development of this west end of the  
24 block that is in the heart of the central business  
25 district, and so I, you know, respectfully request your

1 approval of this, of the alley vacation.

2 MR. MENENDEZ: Okay. Are there anyone in the  
3 audience who would like to speak in favor of this case?  
4 Mr. Jimenez?

5 MR. JIMENEZ: Yes, Mr. Chairman. Thank you  
6 very much. Joe Jimenez with Gulino Partners, offices at  
7 2020 Salzedo Street. As Miss Russo mentioned --

8 THE COURT REPORTER: Excuse me. Have you  
9 been sworn, sir?

10 MR. JIMENEZ: No.  
11 (Thereupon, Mr. Jimenez was duly remotely sworn on oath.)

12 MR. JIMENEZ: So I was just here. I know  
13 that there have been some questions about the fact that  
14 there is no site plan. As a future developer of this  
15 site, I'm here just to answer any questions. I just  
16 wanted to introduce myself to the board, but obviously we  
17 are in favor of the item.

18 MR. MENENDEZ: Okay. Anybody else who wants  
19 to speak in favor? Anyone who would, who would like to  
20 speak in opposition?

21 Okay. I'll open this up for discussion among  
22 the board members. Mr. Garcia-Pons, what do you think?

23 MR. GARCIA-PONS: Are you calling me? I  
24 don't have my hand raised, but when I do, you'll know.

25 MR. MENENDEZ: I wear glasses so I don't see

1 very well.

2 MR. GARCIA-PONS: I do have a comment, and I  
3 think I understand, you know, the assemblage of the  
4 property probably makes it a little bit easier to develop.

5 My concern on this is, you know, there is a  
6 fabric inherent to the downtown area which includes the  
7 alleys. Services exist on those alleys which take the  
8 services away from the main streets.

9 By closing off this particular alley, we are  
10 perhaps not moving services that would be taken care of in  
11 the alleys to the main streets because it does say in the  
12 document that those services would be moved to the new  
13 property that they're going to give a perpetual easement  
14 to.

15 I would prefer to see that any of the  
16 services that would have happened in the alley actually be  
17 internalized to the building versus to be relocated onto  
18 the new perpetual easement.

19 But even larger than that, I have -- I'm  
20 probably fundamentally opposed to closing alleys in  
21 business districts. I think that changes, changes the  
22 character of those districts by allowing for an assembled  
23 property which thus allows for a larger building, but  
24 again, that is a personal opinion. I'm just sharing it  
25 with you.

1 MR. MENENDEZ: Okay. Mr. Rodriguez?

2 MR. RODRIGUEZ: No, I'm trying to find the  
3 mute button. I actually sat through the entire  
4 hour-and-a-half presentation at the planning and zoning  
5 board, and having heard what that discussion was, I have  
6 no objections to the recommendations of the staff.

7 MR. MENENDEZ: Okay. Dona, what do you think

8 MS. SPAIN: I have no objections.

9 MR. MENENDEZ: Okay.

10 MS. SPAIN: And I also am fundametally  
11 against closing alleys, just so you know, but I think that  
12 in this case it makes sense.

13 MR. MENENDEZ: Miss Rolando?

14 MS. ROLANDO: Yes. I have a question for  
15 Laura. Are there any uses in Lots 15 through 19 of Block  
16 Ten that utilize that lobby -- excuse me, that alleyway?

17 MS. RUSSO: Miss Rolando, it's my -- well,  
18 it's not my understanding. We have confirmation that  
19 there is a sewer line that runs through the alley, a Coral  
20 Gables sewer line. There are utilities, so there is AT &  
21 T, there is FPL, there is other utilities, all of which  
22 have agreed to the relocation to the easement.

23 So the properties that you are talking about  
24 would not be impacted because the utilities would be  
25 moved. In fact, some of the utilities would, in fact, be

1 upgraded,

2                   But instead of the utilities continuing west  
3 throughout the alley, they would stop at the end of the  
4 east ten feet of Lot 11, all right. Where the substitute  
5 easement begins, the utilities would be cut off there and  
6 proceed south through the proposed perpetual access and  
7 utility easement.

8                   MS. ROLANDO: Now, are there any of those  
9 buildings that will remain that use that alley for access  
10 to parking or loading at the rear of any of these  
11 buildings?

12                   MS. RUSSO: Well, the lots in question which  
13 my client owns will not be impacted, and the balance of  
14 the lots will not be impacted either because we are not --  
15 we are leaving the alley.

16                   So just to give you a little perspective,  
17 that block, Block Ten, has an alley on the lot immediately  
18 facing Ponce. At the end of the lots that face Ponce,  
19 there is a north-south alley, so that bisects the block  
20 from Valencia south to Almeria. Then there is an  
21 east-west block.

22                   So by providing the substitute easement -- so  
23 we could not vacate and leave a dead end. We had to  
24 provide a way for the utilities to continue south and to  
25 provide both access and ingress and egress.

1                   And so we had originally proposed 20 feet,  
2   and in working with public works, they then went to 30  
3   feet, or I think 28 feet, and then they went to 35 feet.  
4   They wanted to be sure that any type of vehicle would have  
5   the maneuverability, which is why we are providing,  
6   unusual, but a much larger easement than the width of the  
7   alley that's being vacated.

8                   MS. ROLANDO: So you have a turning radius  
9   then?

10                  MS. RUSSO: Oh, more than, more than adequate  
11   turning radius, absolutely. We worked very closely, our  
12   engineers and public works, to come up with this, to come  
13   up with this width of the proposed easement, yes.

14                  MS. ROLANDO: And the alley is one way?

15                  MS. RUSSO: The alley right now I think is  
16   two ways --

17                  MS. ROLANDO: Okay.

18                  MS. RUSSO: -- both of them. I don't know  
19   that they necessarily function that way because when you  
20   try to go north-south, sometimes there are cars in the  
21   north-south behind some of the restaurants, but alleys are  
22   usually two ways unless labeled otherwise.

23                  MS. ROLANDO: Okay. Thank you.

24                  MS. RUSSO: You're welcome.

25                  MS. KAUTZ: I don't think any of the city --

1 I could be wrong. I don't think any of the city alleys  
2 are labeled one direction or another.

3 MR. FULLERTON: I have a couple. I noticed  
4 on the planning and zoning board agenda or minutes --  
5 maybe it's not minutes -- the planning board recommended  
6 denial. Was that just because they didn't have a site  
7 plan to see how it was going to impact the building?

8 MS. RUSSO: Yes, that is correct. The number  
9 one consensus objection from the board members was that  
10 they didn't have a site plan.

11 Although the proposed ordinance requires a  
12 site plan before the alley vacation goes into effect and  
13 still allows the planning and zoning board to review the  
14 proposed project and go, and you know, provide input at  
15 that time, it just didn't seem to register.

16 MR. FULLERTON: Is there a building on Lot 34  
17 now which is where the turning radius would most likely  
18 strike a building if a large truck was in there?

19 MS. RUSSO: There is currently a small one  
20 story building on Lot 34, which is why the public works  
21 department insisted that we not just give them 20 feet or  
22 25 feet, but went to the full 35, because they wanted any  
23 truck to be able to circumvent that building.

24 MR. FULLERTON: Okay.

25 MS. RUSSO: So that was taken into



1 consideration by the city public works staff and director.

2 MR. FULLERTON: Thanks, Laura.

3 MS. RUSSO: You're welcome.

4 MR. MENENDEZ: Any other discussion? Okay.  
5 Would somebody like to make a motion?

6 MS. KAUTZ: I just want to clarify for the  
7 board before you do that, that you are not, you are not  
8 approving a certificate of appropriateness. You are  
9 recommending to the city commission that they issue the  
10 certificate of appropriateness. All amendments to the  
11 city plan through a certificate of appropriateness will be  
12 issued by the commission.

13 MR. MENENDEZ: Okay.

14 MS. SPAIN: I'll move it.

15 MR. FULLERTON: I'll second.

16 MR. MENENDEZ: Okay. Mr. Fullerton seconds  
17 it.

18 MR. RODRIGUEZ: Just for clarification, we're  
19 approving the recommendation of the staff?

20 MS. SPAIN: Yes.

21 MR. RODRIGUEZ: Okay.

22 MS. SPAIN: Sorry, good call.

23 (Reporter clarification.)

24 THE ADMINISTRATIVE ASSISTANT: Mr.  
25 Garcia-Pons? Hello?

1 MR. GARCIA-PONS: No.

2 THE ADMINISTRATIVE ASSISTANT: My connection  
3 went. Mr. Ehrenhaft?

4 MR. EHRENHAFT: Yes.

5 MR. RODRIGUEZ: Bruce, you're muted.

6 MR. EHRENHAFT: Yes.

7 THE ADMINISTRATIVE ASSISTANT: Miss Spain?

8 MS. KAUTZ: Dona, that was you.

9 MS. SPAIN: Sorry. Yes.

10 THE ADMINISTRATIVE ASSISTANT: Miss Rolando?

11 MS. ROLANDO: Yes.

12 MS. KAUTZ: You're muted, Nancy. Nancy,  
13 you're muted. Let me finish. Hold on.

14 THE ADMINISTRATIVE ASSISTANT: I lost  
15 everybody again.

16 MS. KAUTZ: You're back.

17 THE ADMINISTRATIVE ASSISTANT: Mr. Rodriguez?

18 MR. RODRIGUEZ: Yes. Did you call my name?

19 THE ADMINISTRATIVE ASSISTANT: Mr. Rodriguez?

20 MR. RODRIGUEZ: Yes. I support the motion.

21 THE ADMINISTRATIVE ASSISTANT: Okay.

22 Mr. Fullerton?

23 MR. FULLERTON: Yes, yes.

24 THE ADMINISTRATIVE ASSISTANT: Is that a yes?

25 MR. FULLERTON: Yes, yes.

1 THE ADMINISTRATIVE ASSISTANT: Mr. Fullerton?

2 MR. FULLERTON: Yes.

3 THE ADMINISTRATIVE ASSISTANT: Okay.

4 Mr. Durana?

5 MR. DURANA: Yes.

6 THE ADMINISTRATIVE ASSISTANT: Mr. Durana?

7 MR. DURANA: Yes.

8 THE ADMINISTRATIVE ASSISTANT: Mr. Menendez?

9 MR. MENENDEZ: Yes.

10 MS. KAUTZ: Motion passes. Thank you.

11 THE ADMINISTRATIVE ASSISTANT: Okay.

12 MS. BACHE-WIIG: I'm sorry. I didn't hear my  
13 name called, but I vote yes.

14 MS. KAUTZ: I wrote you down as yes. I think  
15 it was called.

16 MS. BACHE-WIIG: Okay.

17 MS. RUSSO: Thank you all very much, much  
18 appreciated.

19 MR. MENENDEZ: Okay, okay. We have a  
20 standard certificate of appropriateness, Case File COA  
21 (SP) 2018-154, revised, an application for revision to a  
22 previously issued standard of, standard certificate of  
23 appropriateness for the building located within the  
24 University of Miami main campus, Frost School of Music,  
25 referred to as the Arnold Volpe Music Building located at

1 5489 San Amaro Drive, legally described as all of the  
2 Arnold Volpe Music Building as now existing, laid out and  
3 in use, the same being a portion of Tract One of the  
4 amended plat portion of main campus, University of Miami,  
5 according to the plat thereof as recorded in Plat Book 46  
6 at Page 81 of the public records of Dade County, now  
7 Miami-Dade County, Florida.

8 The application requested design approval for  
9 window and door replacement. The revision requests design  
10 approval for the as-built windows and doors.

11 MS. KAUTZ: Thank you.

12 MS. SPAIN: Okay. Before we get started, I  
13 think I need to recuse myself because I did the final  
14 inspection on these windows and rejected it, so.

15 MS. KAUTZ: Okay.

16 MS. SPAIN: I don't know what to do about  
17 that. I'm going to mute myself and --

18 MS. KAUTZ: I think as long as your camera is  
19 off and you're muted, you're fine. Gus, is that all  
20 right?

21 MR. CEBALLOS: That's fine.

22 MS. KAUTZ: Okay, perfect. So this is the  
23 location map of the Volpe building on the university  
24 campus, and these were photos, these were images that we  
25 had from when this came to you in 2018. It was permitted

1 in 1954, architect is Robert M. Little. The University of  
2 Miami owns it.

3 The top photo is shortly after construction.  
4 The bottom photo was how it was previous to the window  
5 replacement in 2018. Original permit drawings on the top  
6 and the elevation below.

7 So this is what was approved. It was a  
8 storefront, storefront system that was intended to mimic  
9 the original which was wood frame. You can see that the  
10 louvers installed here were being returned and either  
11 restored or replicated, and then this is what's installed.

12 And so the reason why we're bringing this to  
13 you and the reason why the inspection was rejected is  
14 because the installation was intended to be an entire  
15 assemblage. That's how it was presented to the board, and  
16 what, in fact, exists now is a storefront unit of windows  
17 and then a door assemblage which changes the bulk of the  
18 assembly, so this is the reason why we're bringing it back  
19 to you.

20 These are additional photos. I'm going to  
21 stop my screen share and allow the architect -- the  
22 university is on the line as is the architect.

23 Nancy, you need to make Chisholm Architects a  
24 co-host so they can share their screen, and I'll turn it  
25 over to the university.

1                   MR. VALE: Thank you, Mr. Chairman, esteemed  
2 members of the board. Good afternoon, Robert Vale is my  
3 name.

4                   THE COURT REPORTER: Excuse me, excuse me.  
5 Have you been sworn in, sir?

6                   MR. MENENDEZ: I have not.  
7 (Thereupon, Mr. Vale was duly remotely sworn on oath.)

8                   MS. KAUTZ: There should be a few people  
9 probably that are from --

10                  MR. VALE: We also have Mr. Matthew Pollack  
11 and Ricardo Herran present. They should be sworn in as  
12 well.

13 Thereupon, Mr. Herran and Mr. Pollack were duly remotely  
14 sworn on oath.)

15                  MR. MENENDEZ: Go ahead, Mr. Vale.

16                  MR. VALE: Thank you. Again, Robert Vale,  
17 assistant general counsel for the university. 1320 South  
18 Dixie Highway is my address. I'll make a brief  
19 introduction and then turn this over to Mr. Matthew  
20 Pollack, the engineer with Chisholm for the project will  
21 make a presentation. As I mentioned, Ricardo Herran of  
22 the university's planning department is also present.

23                  As Mrs. Kautz mentioned, we're here today as  
24 a continuation of our conversation with the board  
25 regarding Arnold Volpe Music Building that we started with

1 the board back in 2018.

2                   At that time we came before the board  
3 voluntarily and as stewards of the university historically  
4 significant resources on its campus to designate the  
5 building as historic, and then since the historic  
6 designation, we've been working with city staff to finish  
7 out our ability to harden and fortify the window openings  
8 of this building.

9                   And in 2019, we received design approval and  
10 a certificate of appropriateness was issued for the  
11 replacement of the windows and doors along the  
12 southwestern-facing storefront of the building, and this  
13 project consists of two main components, the first being  
14 the replacement of the hurricane-resistant windows and  
15 doors, and the second part consisting of the exterior  
16 louvers that are an important characteristic of the  
17 original design.

18                   At this time we've completed the first phase  
19 of the installation of the windows and doors, and the  
20 as-builts reflect a slight deviation from the approved  
21 plans in the area of the window area above the doors  
22 because of NOA specifications.

23                   So therefore, we're here requesting approval  
24 of the as-built windows and doors before we move to install  
25 the louvers in accordance with the originally-issued

1 certificate of appropriateness.

2 I'm an attorney, not an architect. I'm going  
3 to turn this over to Mr. Pollack who can make a more  
4 detailed presentation on the technical details of the  
5 project.

6 Thank you for your time, and we look forward  
7 to your favorable vote.

8 MS. KAUTZ: You should have the ability to  
9 share your screen.

10 MR. POLLACK: I will. Good evening. I'm  
11 Matt Pollack. I'm the architect. I'm president of  
12 Chisholm Architects. I just wanted to go through a brief  
13 description of the project, just to kind of refresh your  
14 memories of the board members that were present back in  
15 2018 and for any new board members that weren't here.

16 Let me turn my screen on now, so if everyone  
17 can see that. Let me just reduce my screen here. Okay.

18 As everyone remembers, we came back -- we  
19 came in front of the board in 2018 to work with the board,  
20 and as counsel had mentioned, we had done two, several  
21 improvements to the exterior of the building.

22 The first, the first phase was on the  
23 northeast side where we replaced the casement windows with  
24 fixed windows and then mimicked the casement windows, and  
25 then we came back later and did the northwest quadrant



1 which is what you see in the rendering now, and that was  
2 in working with, working with that.

3           This again is just a site plan. I think  
4 we're all aware of where the building is located. This  
5 was the rendering that we had done as part of the  
6 original, the original submission that basically showed  
7 the original storefront system was actually made out of  
8 wood with aluminum -- it had wood with aluminum, with  
9 aluminum window, with aluminum window -- wood frames, I'm  
10 sorry, and then it had wood jalousies and aluminum frames  
11 with solid core wood doors.

12           Over the course of 40 or 50 years, the  
13 jalousie louvers were eventually covered over with  
14 exterior boards and the building lost all of its, all of  
15 its character.

16           So as we prepared our drawings for permit,  
17 the original intent was, as you see on the top of the  
18 building, which pretty much we're sticking with the intent  
19 that we had. As you recall when we were here in front of  
20 the board two years ago, we changed the material from wood  
21 to aluminum, and the reason we did that was, one, the NOA  
22 for the aluminum window was available.

23           We were -- it was also, it provided a more  
24 slender profile for the window frames, and it also allowed  
25 us an opportunity to inset the louver system which we

1 presented to the board at that time as well.

2           So what -- here are some renderings that we  
3 did to sort of show the intent of what, of what we were,  
4 what we had in the beginning as far as the original louver  
5 elevation, and then what we presented to the board at that  
6 time, and as you can see, the slenderness of the vertical  
7 and horizontal elements was maintained. We maintained the  
8 curve.

9           We made a change in the storefront door. We  
10 went with a French-style door in lieu of the solid panel  
11 door, but it all kept the essence of the system.

12           Eventually this is what was built. At the  
13 top is still what was approved.

14           And on the bottom what occurred is that  
15 during the shop drawing process by the delegated engineer,  
16 the NOA for the door and the window above the door did not  
17 have an NOA approval in the configuration that we had  
18 presented, that we had presented to the board, and because  
19 of that, what occurred is that the frame of the window  
20 which is not visible to the exterior of the building was  
21 flipped, and it creates not only a slightly different  
22 appearance in the window frame itself, but it's also  
23 pushed forward an inch or two from the windows in the  
24 back.

25           Again, this is an indication of that

1 condition there showing the wider window, the wider window  
2 above the door.

3           We went ahead and just added in the detail,  
4 and I don't know if you guys can see the little hand or  
5 not on the screen, but what's occurring is that in this  
6 section here above the window and door, we have the frame  
7 and the thicker part of the frame is facing the exterior  
8 of the building, whereas the typical details for the  
9 balance of the storefront system, the thicker frame is  
10 actually on the interior of the building.

11           By doing this detail, we were able to keep  
12 the slenderness of the system, and be able to keep the  
13 slenderness of the system, and also fit the louver system  
14 in, in between the frame, the frame of the storefront  
15 system, so it was very consistent with the original, the  
16 original design intent.

17           These are just the overall floor plans. Most  
18 of the spaces here are being used.

19           These are instructional space. It's a music  
20 building so there's -- and some of the spaces, they're  
21 using it as classrooms. Other spaces, it's used for  
22 rehearsal and a combination of the two.

23           Again, these were photographs that Kara had  
24 actually shared and some that Ricardo had shared with us  
25 to get an idea of what the building looked like back in

1 1954, again, the pictures of prior to the renovation, and  
2 then these are the updated photographs of the storefront  
3 system.

4           And as you can see in this area here, because  
5 of the flipping, the flipping of the system, we had an I  
6 think somewhat noticeable change in thickness and scale  
7 and in the framing of the storefront system. Part of this  
8 is just a result of the engineering required in order to  
9 meet the window requirements as well as the NOA  
10 requirements or a combination of both of those items. So  
11 with that, we're open to questions.

12           MR. MENENDEZ: Kara, has this been approved,  
13 or not? This is not what we approved two years ago.

14           MS. KAUTZ: Sorry. What is installed is not  
15 what you approved.

16           MR. MENENDEZ: Why wasn't it caught? I mean,  
17 there's a shop, there's a shop drawing process and  
18 approval process. It wasn't caught there?

19           MS. KAUTZ: From what I remember, the shop  
20 drawings showed what was approved by you all. There was  
21 no modification in the shop drawings that would have led  
22 us to believe they were different than what you all  
23 approved.

24           MR. MENENDEZ: So why are we here then? You  
25 know, we approve something and now we're here to approve

1 something that we didn't, that we didn't approve.

2 MS. KAUTZ: Because we did the final  
3 inspection and we didn't sign off on it because it didn't  
4 match, so they are pending a final inspection from us.

5 MR. MENENDEZ: You know, I just don't get it  
6 because if we approve something, it's got to be done the  
7 way that, you know, we approved it. It was submitted that  
8 way and it was approved that way, so why, why wasn't it  
9 built that way?

10 MS. KAUTZ: That's not a question for me.

11 MR. MENENDEZ: Mr. Pollack?

12 MR. POLLACK: What I wanted to say is that  
13 during, during the, during the process here, and I believe  
14 the university can also step in on this, is that it went  
15 through the shop drawing process, and I believe the shop  
16 drawings were submitted to, to the city to go through the  
17 routing through the city.

18 Simultaneous to that, the contractor was in  
19 the process of construction. Because of the, you know,  
20 window of opportunity that there's, they basically started  
21 the first week of May and they had to be out by the second  
22 week of August, so there was a fast track on that system.

23 I believe the shop drawings that were  
24 submitted -- I don't know if those shop drawings were ever  
25 approved -- did indicate the change in the storefront

1 system due to the NOA issue.

2 MS. KAUTZ: I can ask ElizaBeth to see if she  
3 can log on to it. I'm on a different computer right now.  
4 I can see if they were approved if you want to wait, you  
5 want to hang on.

6 MR. POLLACK: Kara, I think -- I don't think  
7 -- they may or may not have been approved, but I do know  
8 that it got to you late in the process, if it got to you  
9 at all, that's for sure.

10 MR. MENENDEZ: If they weren't approved, why  
11 was it built that way? I mean, that's why we have an  
12 approval process.

13 MR. POLLACK: Again, again, that sort of not  
14 -- it puts me in a difficult situation, but the reality of  
15 it is, is that because of the university time frames for  
16 construction and the need to hurricane-harden the  
17 building, they fast tracked, they fast tracked, they fast  
18 tracked the construction and the fabrication and the  
19 fabrication of that information, you know, of the shop  
20 drawing information. They were working simultaneously at  
21 the same time they were in the process of construction.

22 MR. MENENDEZ: No, I understand that. It's  
23 really not an excuse though, and the way that, the way  
24 that it was submitted and the way that we approved it is  
25 much cleaner, as far as I'm concerned.

1                   MR. POLLACK: We don't disagree, we don't  
2 disagree with that assertion, and I don't -- it was not, I  
3 don't think, the intent of anybody, certainly of our  
4 office or the university or the contractor to not, to not  
5 do that.

6                   I think what it became an issue of is simply  
7 being able to get an NOA that will meet the requirement.  
8 One of the primary missions of the process was, moving  
9 forward, was that the key element to this whole renovation  
10 was to hurricane-harden the building, so that's I think  
11 why we have this situation with the window and the door  
12 frame, the reality, the reality of it being what it is.

13                  MR. GARCIA-PONS: Albert, I believe  
14 Mr. Herran has his hand raised.

15                  MR. MENENDEZ: Go ahead, Mr. Herran.

16                  MR. HERRAN: I was just going to say that the  
17 shop drawings were indeed submitted with the change to the  
18 window and the door. I think there was a slight issue in  
19 terms of the routing and then there was delay in terms of  
20 the approval, but the shop drawings did make it to the  
21 city with the revision.

22                  They were rejected based on the comment they  
23 didn't match what was originally approved at the board  
24 level.

25                  As Matt was mentioning, the university did

1 have a very small window for installation. We only have  
2 the opportunity to install when the students are out in  
3 the summer, and that's why there was some, a bit of  
4 miscommunication in terms of the installation and the  
5 change.

6 We are -- we do want to ensure the city that  
7 the university is making changes internally to make sure  
8 that this does not happen again and that we are  
9 instituting a process much like we have with the  
10 university's architect's office where they have to stamp  
11 any historic building before it goes to the board of  
12 architects, so we're instituting a similar process to  
13 ensure that that doesn't happen on our end again.

14 We want to make sure that there was, that you  
15 understand there was no ill will on our part. It was just  
16 a lack of timing and a bit of miscommunication.

17 MR. MENENDEZ: Well, there are ways of  
18 hardening a building temporarily while this thing is  
19 getting straightened out. You know, I just feel that the  
20 solution that you had, the original solution, the ones  
21 that we approved was the correct one. It was much  
22 cleaner.

23 And I just get frustrated in that this isn't  
24 the first time, not with the university, but with other  
25 projects, that a project will come back to us after we



1 have approved it to approve it after the fact because it  
2 was built incorrectly.

3 So it's frustrating on our end when we take  
4 all this time to review things, to study things, to  
5 comment on things and vote on things, and then things  
6 aren't done as we had accorded.

7 So does anybody else have any any comments on  
8 this?

9 MS. KAUTZ: I wanted to say Ricardo was  
10 correct. My memory, my memory was wrong. It wasn't the  
11 final inspection that we rejected it. It was the shop  
12 drawings that we rejected which caused us to go visit the  
13 site to go see what was installed. He was absolutely  
14 right. That was my bad, so.

15 MR. MENENDEZ: Okay. Miss Rolando?

16 MR. FULLERTON: Just a question: The fact  
17 that you changed it from what was proposed was because of  
18 the NOA, a problem with the NOA on the transom, or  
19 something else?

20 MR. POLLACK: What occurred is during the  
21 shop, during the -- when the delegate engineer was  
22 preparing the shop drawings for the subcontractor, he came  
23 back and said that, that the system -- you know, the  
24 reason we selected this system is because it allowed us to  
25 flip the storefront system 180 degrees and still have the

1 NOA and still, and be able to put the louver into the  
2 window.

3                   And when they did the engineering on that,  
4 they came back and said, "Well, we have a problem because  
5 the door, the door doesn't have an NOA with that  
6 configuration."

7                   Now, I don't know, I don't know if they  
8 tested it and they didn't pass it, they didn't do it, or  
9 they never tested it.

10                   My guess is that probably where they probably  
11 have the issue is probably on the water intrusion side of  
12 that at the threshold, and probably with, in the way we  
13 had configured it, the door had to swing out for life  
14 safety reasons, and the window had to be flipped the other  
15 way, so I think that was one issue.

16                   And I think probably the other issue is that  
17 the vertical support between the storefront system and the  
18 door itself is probably going to have to be beefed up no  
19 matter what simply because of what you need in order to  
20 meet the wind load on that, on that system.

21                   So I think there was a combination of items  
22 there. I think there's a question of, you know, of time,  
23 and then a question of engineering, and then a question of  
24 testing probably, all contributed to this, to the  
25 situation we're in right now.

1                   MR. FULLERTON: Well, when you turn the whole  
2 glazing system around like that, obviously the door cannot  
3 be turned around because it has to swing out because of  
4 wind requirements and water intrusion, so you couldn't  
5 change the door configuration or the framing of it, so  
6 that's where you ran into problems and had to make a  
7 change.

8                   I think switching the light glazing  
9 configuration around is not a problem because, well,  
10 visually not a problem because you can recess the louvers  
11 into the frame nicer in a better way. I agree with that,  
12 I agree with that. I just, I don't understand how you  
13 could have dropped the ball on the NOA part of it and not  
14 come up with a solution that worked out.

15                  MR. POLLACK: Because we weren't aware that  
16 the window above, the manufacturer didn't make us aware  
17 that the window above the door couldn't be flipped. That  
18 had to be in the same, that had to be in flush with, with  
19 the door, that the door swinging out because it hadn't  
20 been tested in that configure -- everything else had been  
21 tested in the configuration that we have except the window  
22 over the door.

23                  MR. FULLERTON: So the window and the door  
24 are a single element?

25                  MR. POLLACK: I suppose that that's probably

1 how that, how that was tested, but remember, that  
2 storefront system doesn't necessarily always have to have  
3 a door. The glazing system could be tested either way and  
4 always passed, but the door with the transom above it, it  
5 was either, it was either not tested in the configuration  
6 that we thought it could be put in, which was door  
7 swinging out, window flipped the other way, or it didn't  
8 pass. That, I don't know.

9 MR. FULLERTON: Is the transom fixed glass  
10 like the rest of it?

11 MR. POLLACK: Yes, yes.

12 MR. FULLERTON: I don't understand why the  
13 transom --

14 MR. POLLACK: If you look at the picture,  
15 there's a little lip on there.

16 MR. FULLERTON: Yeah. I don't understand why  
17 the transom configuration would vary from the other  
18 transom glass that's on the rest of the storefront, but  
19 that's not for me to say. I just thought it's an odd, odd  
20 situation, and I've put doors in storefront windows and  
21 glazing before and never had a problem with the transom  
22 glass.

23 MR. POLLACK: And I think it's just a  
24 question of the test, of what was tested by NOA and what  
25 didn't. That's, you know, my thoughts on that.

1 MR. MENENDEZ: Mr. Garcia-Pons?

2 MR. GARCIA-PONS: Thank you. I actually had  
3 the same questions that Mr. Fuller had, so I'm probably  
4 going to defer to the 2018 ruling, but is there a  
5 possibility, maybe Mr. Pollack can think about a retrofit  
6 of the existing structure, is there a possibility maybe,  
7 Mr. Herran, of that transom window is the one that also is  
8 the one that bothers me the most, if there could be a  
9 retrofit of just that panel to make it more like the other  
10 windows above, I think that the positioning of the door  
11 with the positioning of the louvers will make it fine  
12 because they're all going to be pressed up against the  
13 front line, but that top window is the one that's going to  
14 be out of place.

15 So you know, again, I'm going to vote in  
16 deference to the 2018, but I would, I'd be very amenable  
17 if the transom of that door panel could be moved, I'd be  
18 happy to vote for that as well.

19 MR. MENENDEZ: Miss Rolando?

20 MS. ROLANDO: Yes. Can you tell me what's  
21 going on with the louvers? Are you holding off on  
22 installing them pending a decision here? I couldn't --  
23 I'm not clear what you're doing with the louvers.

24 And by the way, to me what's installed looks  
25 so clunky, I think it should have popped out pretty

1 quickly that there was an issue, especially when what was  
2 designed was pretty elegant.

3 MR. POLLACK: I want to defer to Ricardo on  
4 the status of the louver system. Where we had left it off  
5 before the pandemic was that they were in the process of  
6 working with someone that manufactured the louvers in the  
7 material which would come from I believe --

8 MR. HERRAN: Germany.

9 MR. POLLACK: -- Germany, and I believe that  
10 then with COVID-19 and everything, everything has sort of  
11 been put on hold so we haven't really been too involved in  
12 the louver situation.

13 I would say this, and you know, I think once  
14 the louvers are put in, that will change the overall  
15 appearance of the system and perhaps not be -- well, it  
16 certainly won't have that heavy look, which I agree you  
17 have that at the door and over the window. A part of that  
18 is just a function of the engineering that is needed, and  
19 then part of that is the function of the fact that we  
20 couldn't flip that window.

21 So I don't know if it would make more sense,  
22 and Ricardo, I defer to you, if we were to come back, you  
23 know, defer and come back once we have a louver designed  
24 that is acceptable to staff so we can take a look at that  
25 to make the system look, to get the system to look as

1 close as it can to what was originally approved back in  
2 2018.

3 I don't know if I'm frozen or if everyone  
4 else is frozen.

5 MS. ROLANDO: Are the louvers being applied  
6 to the exterior?

7 MR. POLLACK: What's happening is that the  
8 louver system, what we're manufacturing is a, is, it's  
9 going to be -- the louvers that were originally there were  
10 operable jalousies.

11 MS. ROLANDO: Right.

12 MR. POLLACK: But instead of having them  
13 glass, they had wood, and there was no glass behind those  
14 jalousies. There was just a screen.

15 And so when we were at the board two years  
16 ago, we designed a fixed louver with a wood -- actually  
17 it's not a wood. It's like a, it's wood, but it's a  
18 processed wood so that it is very durable, and they were  
19 in the process of building mock-ups in order to --

20 MS. ROLANDO: Okay.

21 MR. POLLACK: -- insert that go inside glass  
22 so it will really, it will mimic the original intent of  
23 the building but have a hurricane, a piece of hurricane  
24 glass, excuse me, behind it.

25 So that's what, that's what we were -- you

1 know, that's the next phase which would be like Phase Two  
2 A of this or Two B of this project, is to get those, you  
3 know, mock-ups made, hopefully get it approved, and then  
4 get it fabricated and, fabricated and installed. The  
5 installation of those is not something that is necessarily  
6 has to wait until the summer simply because it's not  
7 very --

8 MS. ROLANDO: It's not disruptive.

9 MR. POLLACK: It will be just decorative at  
10 this point.

11 MR. HERRAN: Right, and this is Ricardo  
12 again, everybody, and if I may, when we received the  
13 approval for the certificate of appropriateness last year  
14 in 2019, in January, the directive from the board was to  
15 move forward but to work with city staff on the detailing  
16 of the louvers, so that's currently where we are now, and  
17 that's kind of been put on hold because we wanted to make  
18 sure that we came back to you to review this change before  
19 we move forward.

20 MR. MENENDEZ: Mr. Rodriguez?

21 MR. RODRIGUEZ: I have no comment.

22 MR. DURANA: Mr. Durana?

23 MR. DURANA: I'm kind of the opinion that I'd  
24 like to see the louvers before we make a decision.

25 I mean, you know, being a contractor, I



1 understand that, you know, these impact windows, there's  
2 limited NOAs, you know, with the design.

3 I mean, you can't -- it's not like you can  
4 get a craftsman to design this and build it and custom  
5 make it the way you want. I mean, they have to have a  
6 certain NOA to be approved.

7 So I understand kind of, you know, what  
8 happened there above the door. It's unfortunate, but I  
9 kind of understand, but I would like to see it with the  
10 louvers, you know, to kind of see the overall, you know,  
11 aesthetic and see how it compares, you know, to what the  
12 proposed elevation was, you know, before we make a  
13 decision.

14 MR. MENENDEZ: Miss Bache-Wiig?

15 MS. BACH-WIIG: I agree with Mr. Durana. I  
16 would like to see a sample. I think it would be helpful  
17 to inform, you know, the board.

18 MR. MENENDEZ: Okay. Mr. Ehrenhaft? You  
19 need. You need to unmute yourself.

20 MR. EHRENHAFT: The discussion about the  
21 louvers making the odd window somehow more acceptable  
22 esthetically makes no sense to me. The louvers are all  
23 below that and the transom windows all remain exposed,  
24 irregardless.

25 I'd like to know, since they're not sure, how

1 the window configuration with the door was tested, I'd  
2 like to know whether they can do a retrofit where the  
3 window is either redesigned so that it has the same  
4 profile as the remaining windows that are already  
5 installed, or whether the one that was flipped can somehow  
6 be put in the position that was originally contemplated.

7 So that's, that's all I've got to say, you  
8 know, with respect to observations of the city.

9 MR. MENENDEZ. Okay. Any other comments?

10 MR. FULLERTON: I'd like to just say one more  
11 comment real quickly.

12 The louvers to me are just an embellishment.  
13 I think they're going to be, I think they'll be better  
14 than the original submittal in that they will be sunken  
15 back into the storefront between the, between the  
16 outstanding aluminum verticals.

17 The only problem I have is that window above  
18 the door, and like Bruce said, I think that's the only  
19 thing I wouldn't -- I'd approve it if they can do  
20 something with that transom.

21 And other than that, I think we might be  
22 swatting at, you know, mosquitoes. I think it's not that  
23 terrible. Anyway, I would say, if we could do it with --  
24 they could do something about that transom window and just  
25 look for an option to move it to the back side in line and

1 flush with the, with the transom window glass in that same  
2 assembly.

3 MR. MENENDEZ: Okay. Does someone want to  
4 put a motion out?

5 MR. VALE: May I make a comment?

6 MR. MENENDEZ: Go ahead, Mr. Vale.

7 MR. VALE: I think in light of the comments,  
8 in light of the comments that we've been receiving, I  
9 think that unfortunately I don't have the ability to  
10 concur with my colleague, Ricardo, but I see -- okay.

11 I think what we'd like do at this point is to  
12 defer this item and to come back. We appreciate your  
13 comments very much, and we will look into alternatives  
14 that will be acceptable.

15 MR. MENENDEZ: Okay. Kara?

16 MS. KAUTZ: That's fine with me. You all  
17 need to make a motion to defer the item.

18 MR. MENENDEZ: Okay.

19 MR. FULLERTON: So moved.

20 MS. KAUTZ: Who was that?

21 MR. FULLERTON: Fullerton.

22 MR. MENENDEZ: Do we have a second?

23 MR. GARCIA-PONS: I'll second it.

24 MR. MENENDEZ: Okay. Mr. Garcia-Pons  
25 seconded it. Can we have a vote? And the vote is to, the

1 vote is to defer?

2 THE ADMINISTRATIVE ASSISTANT: Mr. Durana?

3 MR. DURANA: Yes.

4 THE ADMINISTRATIVE ASSISTANT: Mr. Ehrenhaft?

5 MR. EHRENHAFT: Yes.

6 THE ADMINISTRATIVE ASSISTANT: Mr. Ehrenhaft?

7 MR. EHRENHAFT: Yes.

8 THE ADMINISTRATIVE ASSISTANT: Mr. Menendez?

9 MR. MENENDEZ: Yes.

10 THE ADMINISTRATIVE ASSISTANT: Did somebody  
11 answer? Mr. Rodriguez?

12 MR. RODRIGUEZ: Yes.

13 THE ADMINISTRATIVE ASSISTANT: Miss Rolando?

14 MS. ROLANDO: Yes.

15 THE ADMINISTRATIVE ASSISTANT: Mr. Fullerton?

16 MR. FULLERTON: Yes.

17 THE ADMINISTRATIVE ASSISTANT: Miss

18 Bache-Wiig?

19 MS. BACHE-WIIG: Yes.

20 THE ADMINISTRATIVE ASSISTANT: Mr.

21 Garcia-Pons?

22 MR. GARCIA-PONS: Yes.

23 THE ADMINISTRATIVE ASSISTANT: Did you say

24 yes?

25 MR. GARCIA-PONS: Yes.

1 THE ADMINISTRATIVE ASSISTANT: Okay, all  
2 right, and Miss Spain was had recused herself.

3 MR. FULLERTON: Yes.

4 MS. KAUTZ: Not sure. Let me text her and  
5 tell her to come. Thank you. The motion is deferred --  
6 the item is deferred.

7 MR. MENENDEZ: Thank you, Mr. Vale,  
8 Mr. Pollack, Mr. Herran.

9 MR. VALE: Thank you.

10 MS. KAUTZ: Thank you. She should be joining  
11 in.

12 MR. MENENDEZ: Okay. Kara, any board items,  
13 city commission, city project update?

14 MS. KAUTZ: Now that -- Cesar had requested  
15 an update about the S tile versus the true barrel tile  
16 discussion that you all had at the last meeting, and I  
17 don't know if Gus has anything to update. He wasn't  
18 there, but Christina has been --

19 MR. CEBALLOS: It was scheduled for November  
20 4th, so we can provide an update on the next meeting.

21 MS. KAUTZ: Right. We're having a meeting  
22 with the city attorney's office then.

23 MR. MENENDEZ: Okay.

24 MS. KAUTZ: Other than that, I don't have  
25 anything for you all except for to let you know that the

1 week, next week, on the 28th, 29th and 30, the National  
2 Historic Preservation conference that was intended to be  
3 held here in Miami has been, has gone all on a virtual  
4 platform, so you can sign up for specific days if you want  
5 to join in and listen to any of the conference dates that  
6 are there.

7                   Their calendar or schedule of events is on  
8 line. Just look up National Trust Conference 2020. They  
9 have some really great speaker if you want to, if any of  
10 you have a couple of hours you want to, you know, drop in.

11                   MR. GARCIA-PONS: If you don't mind, can you  
12 send us a link to that please?

13                   MS. KAUTZ: Sure, I absolutely will,  
14 appreciate it.

15                   And then the other thing I think just  
16 occurred to me, the Fink studio, the bid for the  
17 contractor for the renovation and restoration of the Fink  
18 studio was approved by the city commission at the last  
19 meeting, so hopefully that would be that will be underway  
20 by the end of this year, so that's exciting.

21                   MS. SPAIN: Nice, really nice. I keep  
22 driving by and looking at it.

23                   MS. SPAIN: Yes. It will be great, really  
24 excited. That's all I have.

25                   MR. MENENDEZ: All right. Motion to adjourn?

1 MR. FULLERTON: Yes.

2 MR. MENENDEZ: Second?

3 MR. RODRIGUEZ: Second.

4 MR. MENENDEZ: All right. We're adjourned.

5 (Thereupon, the meeting was concluded at 6:55 p.m.)

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C E R T I F I C A T E

STATE OF FLORIDA)  
COUNTY OF DADE)

I, DOREEN M. STRAUSS, do here by certify that  
the foregoing pages, numbered from 1 to including 123,  
represent a true and accurate transcription of the record  
of the remote proceedings in the above-mentioned case.

WITNESS my hand in the City of Miami this 16th  
day of November, 2020.

*Doreen Strauss*



Doreen M. Strauss



EXHIBIT H



Historical Resources &  
Cultural Arts

October 26, 2020

2327 SALZEDO STREET  
CORAL GABLES  
FLORIDA 33134

☎ 305.460.5093  
✉ hist@coralgables.com

Edmund Zaharewicz and Cecilia Danger  
649 Palmarito Court  
Coral Gables, FL 33134

Re: **649 Palmarito Court**, legally described as Lots 18 and 19, Block 139, Coral Gables Country Club Section Part Six, according to the Plat thereof, as recorded in Plat Book 20, at Page 1, of the Public Records of Miami-Dade County, Florida.

Dear Mr. Zaharewicz and Ms. Danger:

On Wednesday, October 21, 2020, the Historic Preservation Board met to review the historical significance of the above referenced property. The Board passed a motion directing the Historical Resources Staff to present a full report for consideration of local historic designation.

The Historic Preservation Board will conduct a public hearing at its regular meeting scheduled for **Wednesday, December 16, 2020** to consider this matter. The meeting begins at 4:00 P.M. The meeting location will be determined as the date nears. Copies of the agenda and staff report addressing the designation of the property will be forwarded at a later date.

Should you have any questions, please feel free to contact this office.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kara Kautz".

Kara Kautz  
Interim Historic Preservation Officer

cc: File - Historical Significance Request for 649 Palmarito Court  
File - Local Historic Designation. 649 Palmarito Court

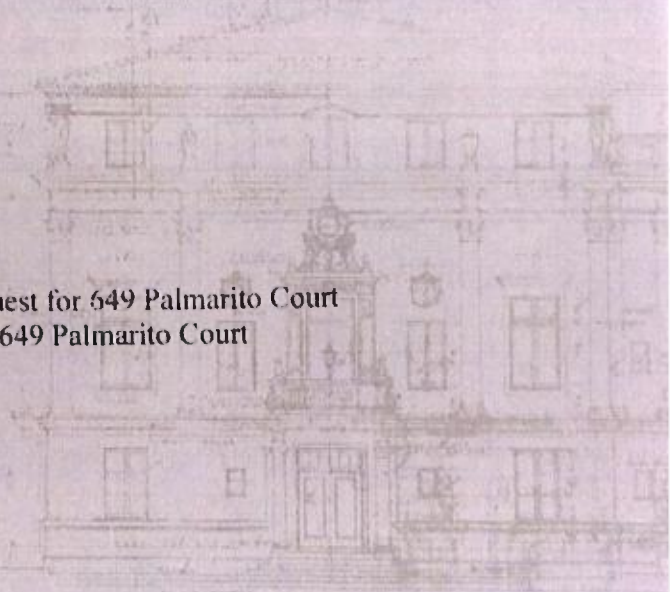


EXHIBIT I



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## RE: December 16th Historic Preservation Board meeting

1 message

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**Ceballos, Gustavo** <[gceballos@coralgables.com](mailto:gceballos@coralgables.com)>

Sat, Dec 5, 2020 at 4:18 PM

To: Edmund Zaharewicz <[ejz@alum.mit.edu](mailto:ejz@alum.mit.edu)>, Kautz, Kara <[KKautz@coralgables.com](mailto:KKautz@coralgables.com)>

Cc: Guin, ElizaBeth <[eguin@coralgables.com](mailto:eguin@coralgables.com)>, Cecilia Danger <[cmdanger@gmail.com](mailto:cmdanger@gmail.com)>, Ramos, Miriam <[mramos@coralgables.com](mailto:mramos@coralgables.com)>, Suarez, Cristina <[csuarez@coralgables.com](mailto:csuarez@coralgables.com)>

Good afternoon Mr. Zaharewicz,

We are in receipt of your request to defer the item until the January meeting without any prejudice to your rights as owners of 649 Palmarito Ct. That being said, the eligibility decision to move forward with designation as described in the code occurred on October 21, 2020 when staff requested preliminary input from the Board before making a determination of eligibility, no standards of review or specific criteria were reviewed at this time.

Accordingly, the meeting scheduled for December would take place within the 60 days prescribed by the code. Your choice to defer the designation would push the hearing beyond the 60 days prescribed under Section 3-1107.G and the City is willing to do so to afford you more time to prepare as you would be the only injured party if there are any further delays. This would allow you more time to review the Designation Report that is being drafted by the Historic Preservation Department and should be available soon.

The City does not require additional time to have the item heard before the Board and therefore if the item is deferred at your request you would waive any rights to claim that the designation occurred beyond the 60 days prescribed by the code but you would reserve all rights granted to you under the zoning code including any applicable appeals.

Please let us know if you wish to proceed with deferring the item to the January Meeting.

Respectfully,

**Gustavo J. Ceballos, Esq., B.C.S.**

**Assistant City Attorney**

*Board Certified by the Florida Bar in*

*City, County, and Local Government Law*

City of Coral Gables

405 Biltmore Way, 3rd Floor

Coral Gables, Florida 33134

Main Phone: (305) 460-5218

**Direct Dial: (305) 569-1852**

Email: [gceballos@coralgables.com](mailto:gceballos@coralgables.com)



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**Confidentiality:** The information contained in this transmission may be legally privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited.

**From:** Edmund Zaharewicz <ejz@alum.mit.edu>  
**Sent:** Saturday, December 5, 2020 3:29 PM  
**To:** Kautz, Kara <KKautz@coralgables.com>  
**Cc:** Ceballos, Gustavo <gceballos@coralgables.com>; Guin, ElizaBeth <eguin@coralgables.com>; Cecilia Danger <cmdanger@gmail.com>  
**Subject:** Re: December 16th Historic Preservation Board meeting

**CAUTION:** External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Kautz:

Thank you for your email. We appreciate the offer.

We would like to defer the hearing until the Board’s next meeting on January 20, 2021, but under protest and without any prejudice to our rights as owners of 649 Palmarito Ct.

In particular, this matter is before the Board pursuant to Zoning Code Section 3-1107.G. This section permits the Historic Preservation Officer (“HPO”) to require review by the Board, but only if the HPO has first determined that the building to be demolished is eligible for designation. By letter dated October 2, 2020, you advised that our property was scheduled for review by the Board at a meeting on October 21, 2020. By letter dated October 26, 2020, you advised that the Board will conduct a public hearing at its regular meeting scheduled for December 16, 2020.

Section 3-1107.G further provides that the HPO’s determination of eligibility “is preliminary in nature and the final public hearing before the Historic Preservation Board on Local Historic Designation shall be within sixty (60) days from the Historic Preservation Officer determination of ‘eligibility.’” More than 60 days have transpired since October 2, 2020. Accordingly, any further proceedings before the Board appear to be unlawful and to violate our rights.

As you know, we have been troubled by this entire process, some of which I expressed to you and others in an email on October 21, 2020. For example, we continue to believe that due process requires the City to give us notice of the specific designation criteria the HPO intends to claim are met with respect to our property. We have yet to receive any such notice.

Please confirm your agreement, without prejudice to our rights, to defer the hearing until the Board's January meeting.

Sincerely,

Edmund J. Zaharewicz

On Thu, Dec 3, 2020, 1:34 PM Kautz, Kara <[KKautz@coralgables.com](mailto:KKautz@coralgables.com)> wrote:

Good afternoon Mr. Zaharewicz,

I know you are working to prepare for the December 16<sup>th</sup> HPB meeting, but in case you need more time, we are able to defer the item to the January 20<sup>th</sup> meeting. The scheduling is entirely up to you. I wasn't sure if you knew you had that option.

Sincerely,

Kara

Kara Kautz

City of Coral Gables

Historical Resources and Cultural Arts Department

[kkautz@coralgables.com](mailto:kkautz@coralgables.com)

305-460-5090

 City Logo Citrus & Frond

**DID YOU KNOW?** You can check your permit status, pay permit fees, and request inspections online? Click the link below and follow the directions prompted on the website:

<https://edenweb.coralgables.com/Default.asp?Build=PM.pmPermit.SearchForm&utask=normalview>

Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

EXHIBIT J



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**RE: 649 Palmarito Court**

1 message

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**Kautz, Kara** <KKautz@coralgables.com>

Thu, Oct 8, 2020 at 5:56 PM

To: [ejz@alum.mit.edu](mailto:ejz@alum.mit.edu) <[ejz@alum.mit.edu](mailto:ejz@alum.mit.edu)>

Cc: Guin, ElizaBeth <[eguin@coralgables.com](mailto:eguin@coralgables.com)>, Suarez, Cristina <[csuarez@coralgables.com](mailto:csuarez@coralgables.com)>, [cmdanger@gmail.com](mailto:cmdanger@gmail.com) <[cmdanger@gmail.com](mailto:cmdanger@gmail.com)>, [mmnld@yahoo.com](mailto:mmnld@yahoo.com) <[mmnld@yahoo.com](mailto:mmnld@yahoo.com)>, Ceballos, Gustavo <[gceballos@coralgables.com](mailto:gceballos@coralgables.com)>

Good evening,

The historic significance request is being taken to the Historic Preservation Board for their initial determination. Staff presents them with our initial findings to determine if they want us to prepare a designation report for them to review at a subsequent meeting. If the Board determines that the property is not significant or does not meet the designation criteria, then Staff will issue the letter you requested.

See further responses below.

Kara

Kara Kautz

City of Coral Gables

Historical Resources and Cultural Arts Department

[kkautz@coralgables.com](mailto:kkautz@coralgables.com)

305-460-5090



[ejz@alum.mit.edu](mailto:ejz@alum.mit.edu)

Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.



**From:** Edmund Zaharewicz [mailto:ejz@alum.mit.edu]  
**Sent:** Wednesday, October 07, 2020 9:51 AM  
**To:** Kautz, Kara  
**Cc:** Guin, ElizaBeth; Suarez, Cristina; Cecilia Danger; Mark Marine  
**Subject:** Re: 649 Palmarito Court

**CAUTION:** External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Kautz:

I attempted to contact you directly, but your assistant suggested that I email my questions instead.

As previously conveyed, we (the owners of the property) do not seek or desire to have our property designated, nor do we believe that the property meets the minimum eligibility criteria for designation. However, we understand that having a hearing can be part of the process when one seeks to demolish an existing structure.

Accordingly, to prepare for the hearing, we would like to know the following:

1. Where can we find the rules governing the conduct of the hearing? There is a document regarding Rules of Procedure for Quasi-Judicial Virtual Meetings of the Coral Gables City Commission and Quasi-Judicial Boards that can be found via this link: [https://www.coralgables.com/media/City%20Attorney/Rules%20of%20Procedures%20for%20Quasi-Judicial%20Virtual%20Meetings%20of%20the%20Coral%20Gables%20City%20Commission%20and%20Quasi-Judicial%20Boards%20\(Coronavirus%20-Covid%2019\).pdf](https://www.coralgables.com/media/City%20Attorney/Rules%20of%20Procedures%20for%20Quasi-Judicial%20Virtual%20Meetings%20of%20the%20Coral%20Gables%20City%20Commission%20and%20Quasi-Judicial%20Boards%20(Coronavirus%20-Covid%2019).pdf)
2. Will we have an opportunity to address the Board, and, if so, how much time will we be allowed to speak? **Yes, you can address the Board. There is no prescribed time limit.**
3. Will we be allowed to share documents with the Board over Zoom? **Yes, if they are relevant to the item.**
4. What information will be given to the Board for its consideration, and will that information be shared with us before the hearing? **We give the Board a copy of your application and supporting documents and copies of our preliminary research.**
5. Have you, as Interim Historic Preservation Officer, determined that the property meets or could meet the minimum eligibility criteria, and, if so, which criteria in particular have you determined are or could be met? **We feel that the property could meet the criteria for designation, but have not made that final determination. We are asking the Board if they want Staff to research further so we can present a report to them with our findings.**
6. Is the Board expected to decide the matter at the hearing, and, if not, when would its decision be expected? **They will not decide on designation at this meeting. It is only for them to rule on whether they find it potentially significant or not.**

As I said, if they do find it potentially significant, they will direct Staff to prepare a designation report. If they decide it is not significant enough to warrant designation, then we will issue the letter to you.

Our apologies for so many questions, but the outcome of the hearing is obviously important to us and our family. No need to apologize. Let us know if you have any additional questions.

Lastly, to the extent relevant to the Board's consideration, please note that our intent is to replace our existing house with a more livable, family-friendly one that is not only entirely befitting the neighborhood but also consistent with the architectural style of the current structure. In fact, our design has already been approved by the Board of Architects, with no material revisions. We would be happy to provide the Board copies of the design, if requested. The Board is not to consider anything that could potentially be built on the site. Their only purview is whether or not the property is significant and provide Staff with direction.

We look forward to your reply.

Sincerely,

Edmund Zaharewicz

On Fri, Oct 2, 2020, 5:23 PM Kautz, Kara <[KKautz@coralgables.com](mailto:KKautz@coralgables.com)> wrote:

Good evening,

Please see the attached letter scheduling the above property for the Historic Preservation Board meeting of October 21, 2020.

We are requesting the Board's input on the historic significance of the property.

Should you have any questions, please let us know.

Kara

Kara Kautz

City of Coral Gables

Historical Resources and Cultural Arts Department

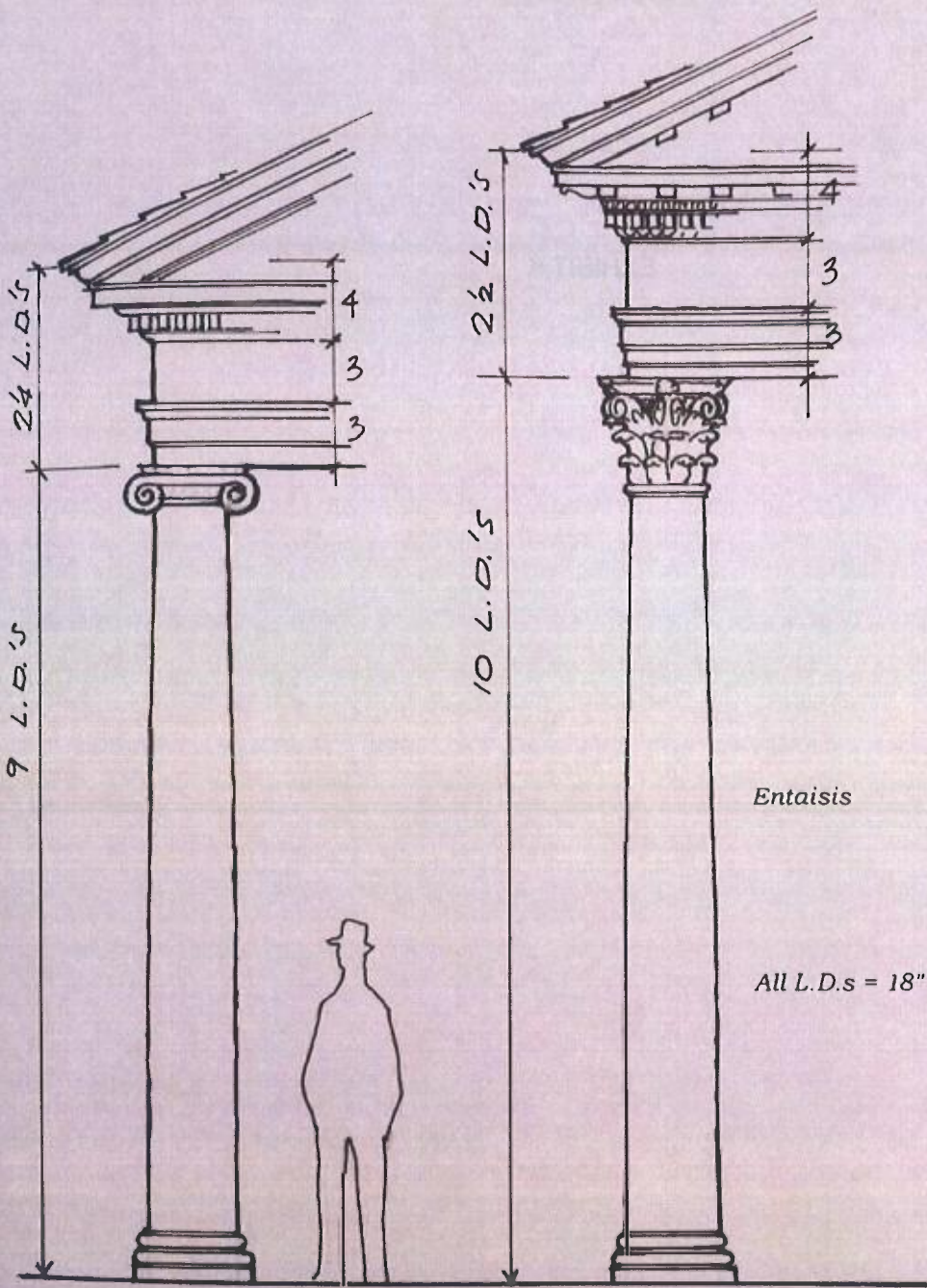
[kkautz@coralgables.com](mailto:kkautz@coralgables.com)

305-460-5090

 City Logo Citrus & Frond

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EXHIBIT K



IONIC  $11\frac{1}{4}$  L.D.s

CORINTHIAN  $12\frac{1}{2}$  L.D.s

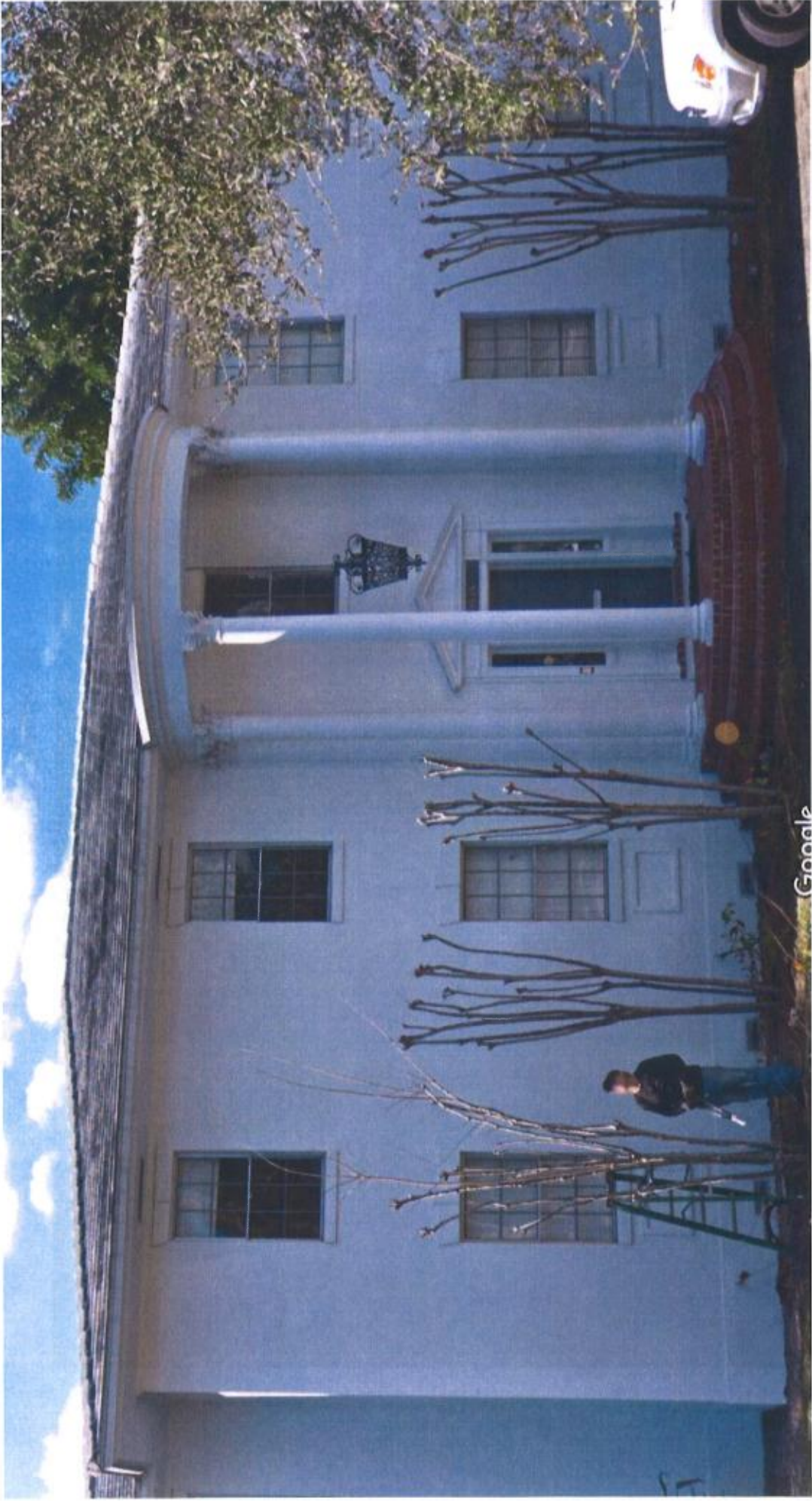
The columns vary from seven to ten L.D.s in height. The entablatures are one-quarter the height of the column, and the divisions of the architrave, frieze, and cornice are governed by strict rules. The Greek Doric order was  $7\frac{1}{2}$  L.D.s and the column only  $5\frac{3}{4}$  and had no base.

Source: Baker, John Milnes, "American House Styles A Concise Guide" (The Country Press 2018)

EXHIBIT L



3701 Segovia St



Google

2828 Segovia St

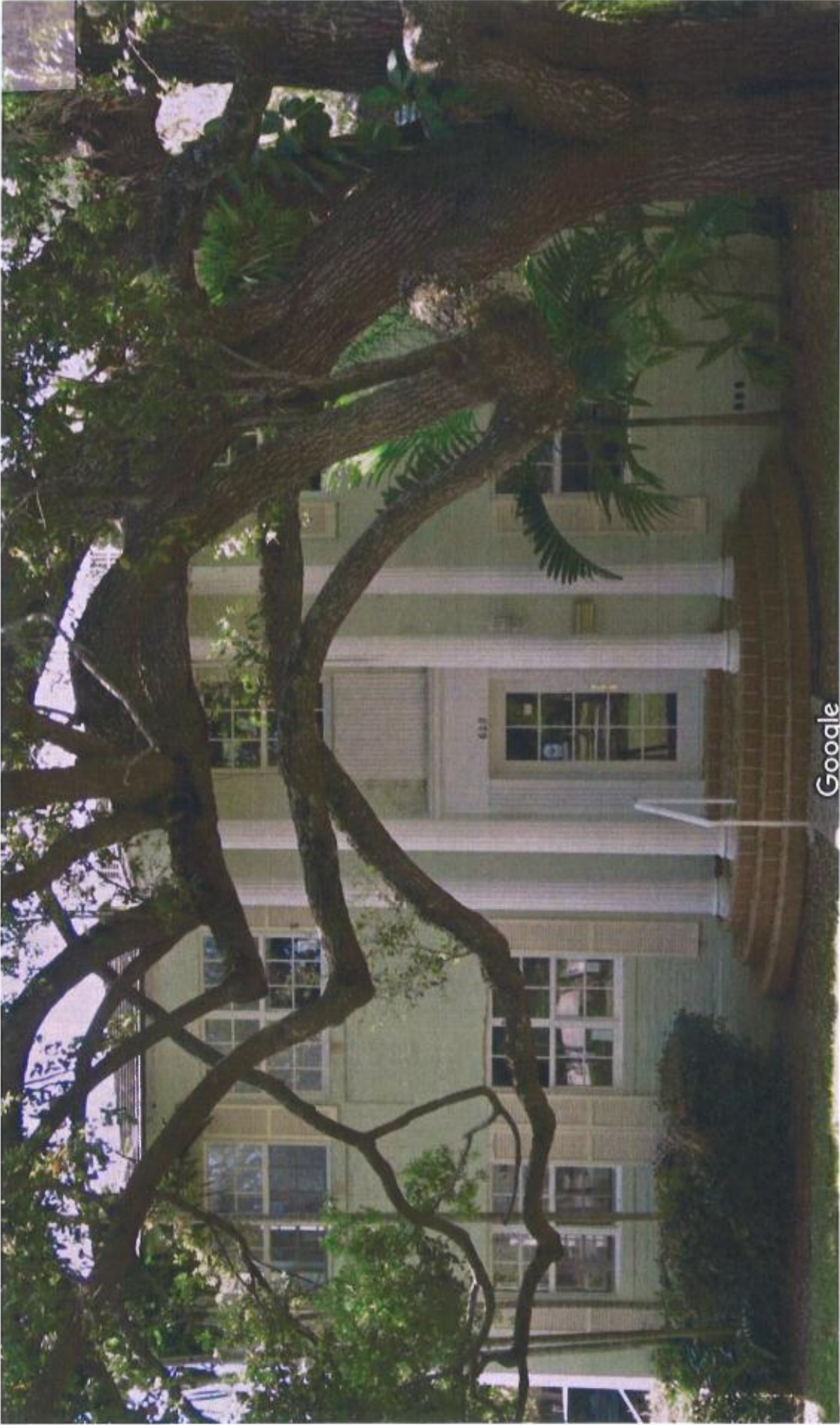




Google

Image capture: Mar 2019 © 2020 Google United States Te

3801 Toledo St



Google

620 Palmarito Ct

EXHIBIT M



Elaborate Front Doorway with Broken Pediment and Decorative Surrounds at 3600 Granada Blvd

EXHIBIT N



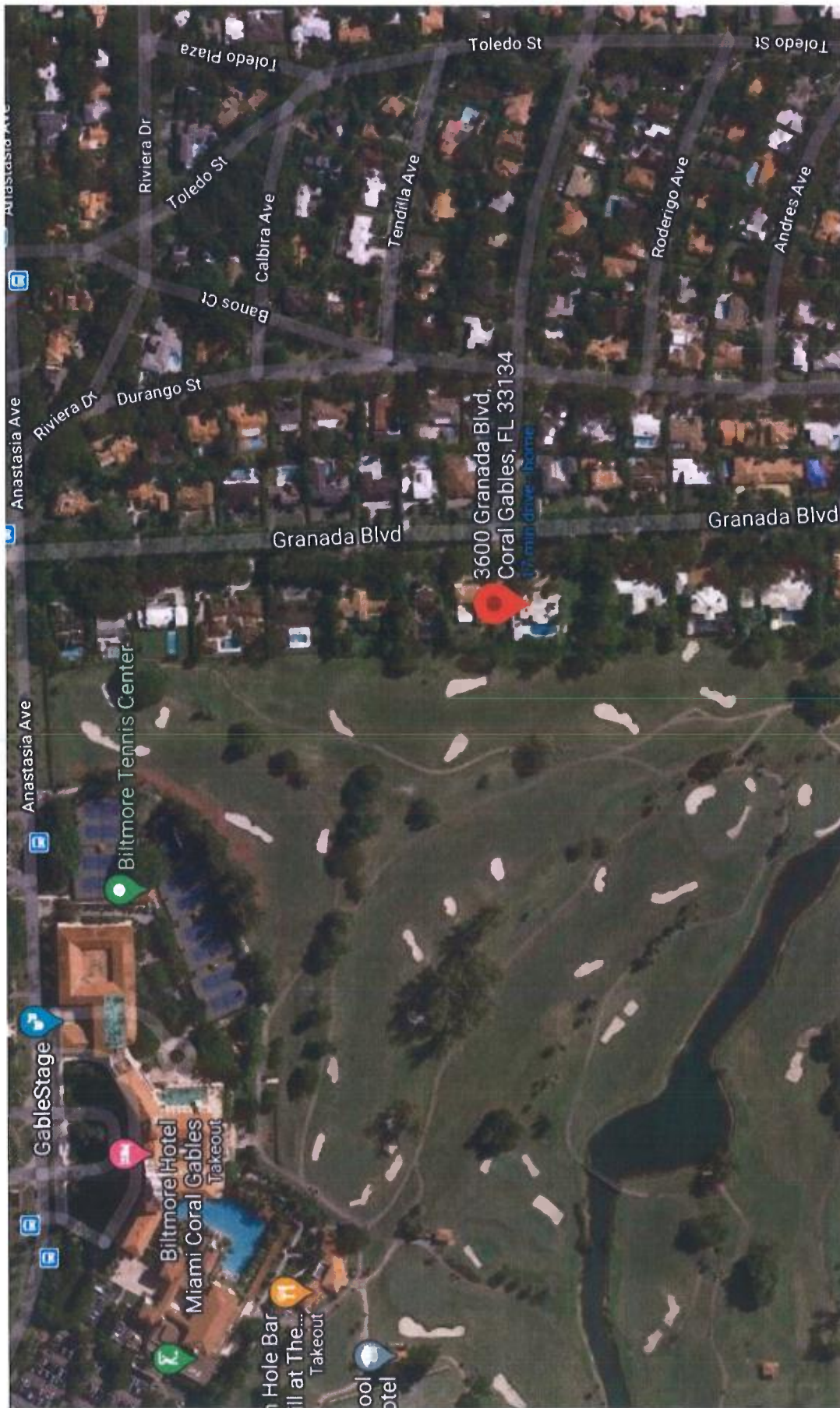
649 Palmarito Ct



3402 Toledo St has the same brick steps, fanlight, sidelight, and proportions as 649 Palmarito Ct the same door and window details, layout, and proportions as 649 Palmarito Ct

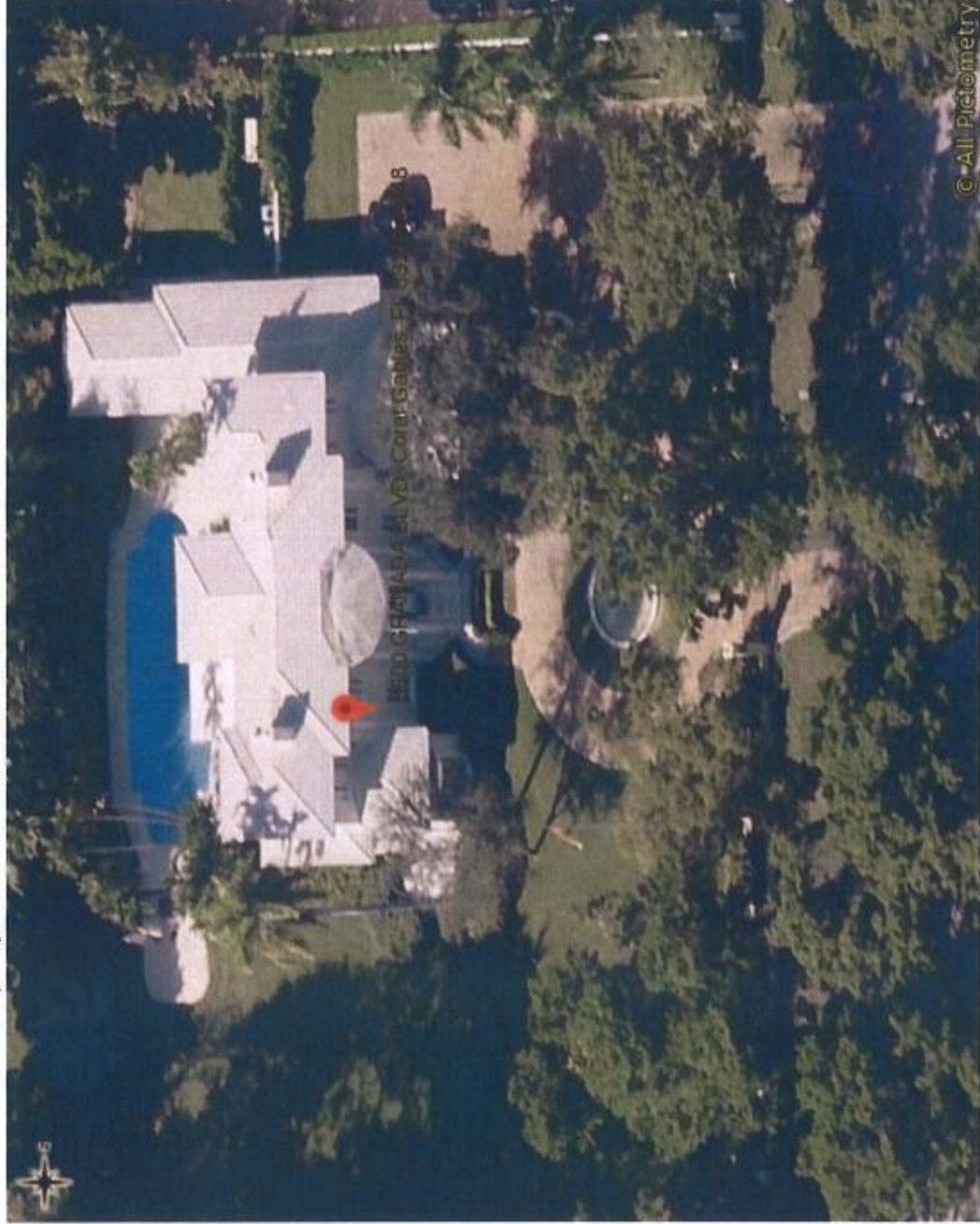
EXHIBIT O

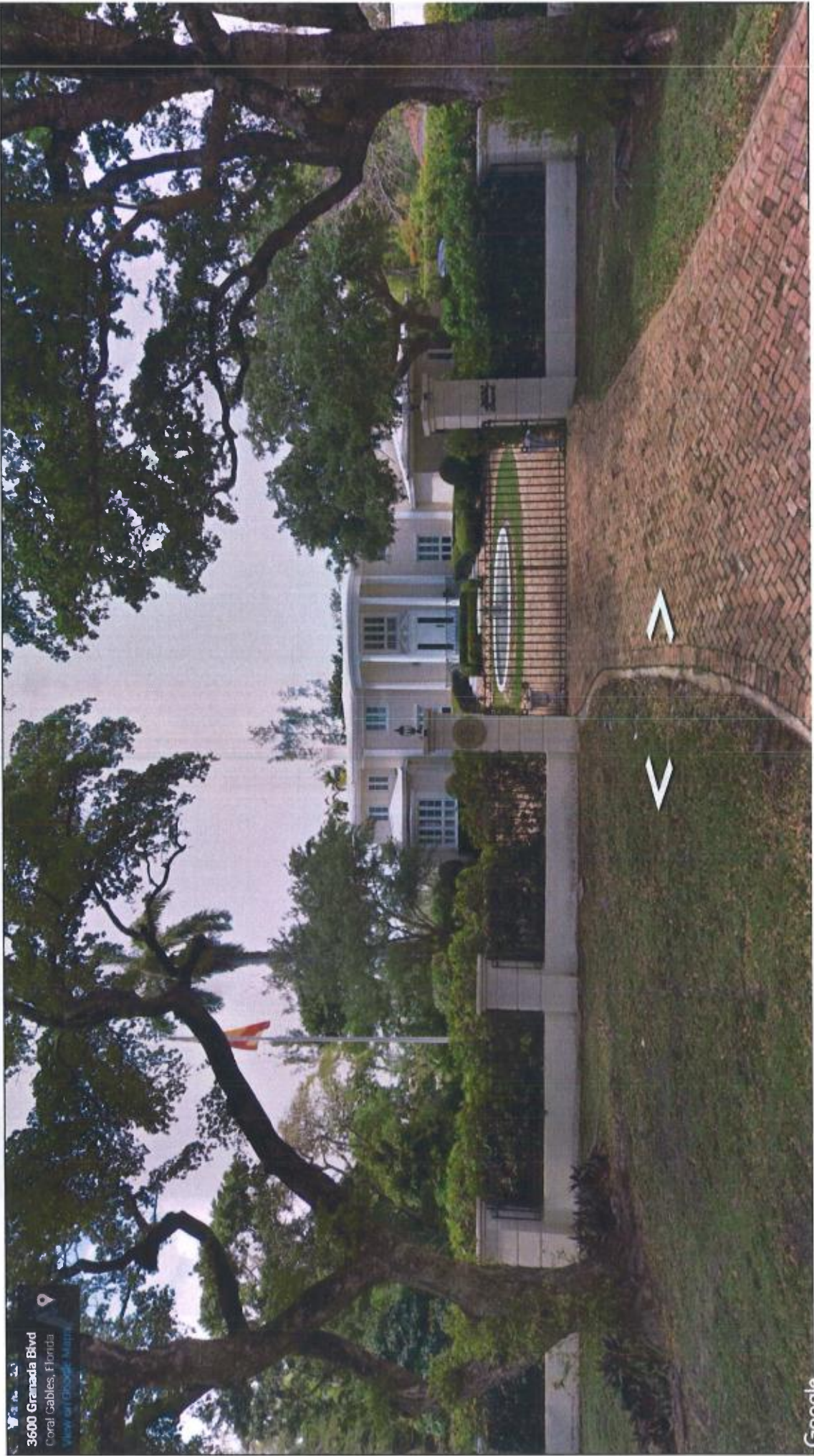




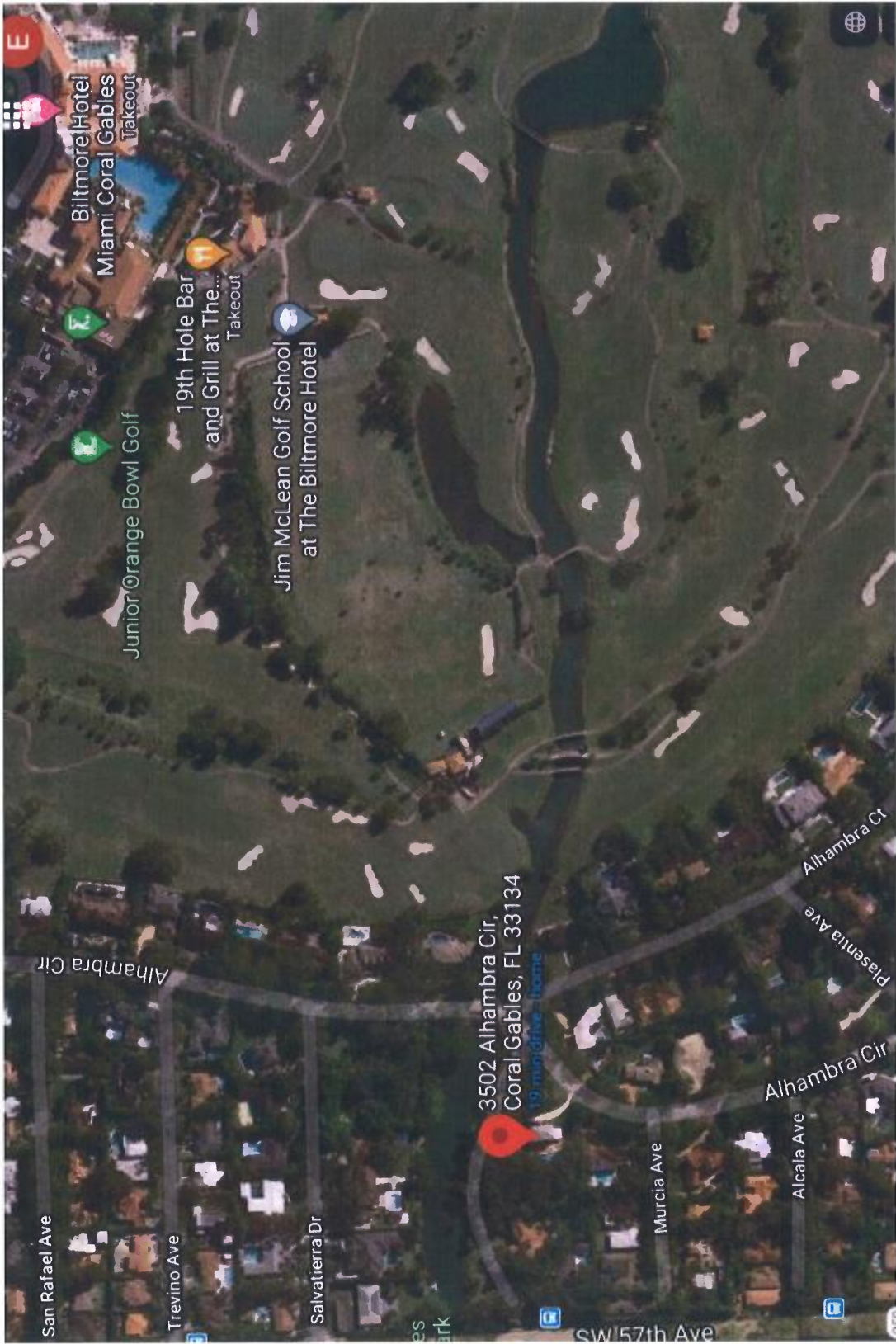
# Miami-Dade Property Appraiser

Property Address: 3600 GRANADA BLVD, Coral Gables, FL 33134-6348





3600 Granada Blvd  
Coral Gables, Florida  
View on Google Maps



# Miami-Dade Property Appraiser

Property Address: 3502 ALHAMBRA CIR, Coral Gables, FL 33134-6214



© All Pictometry

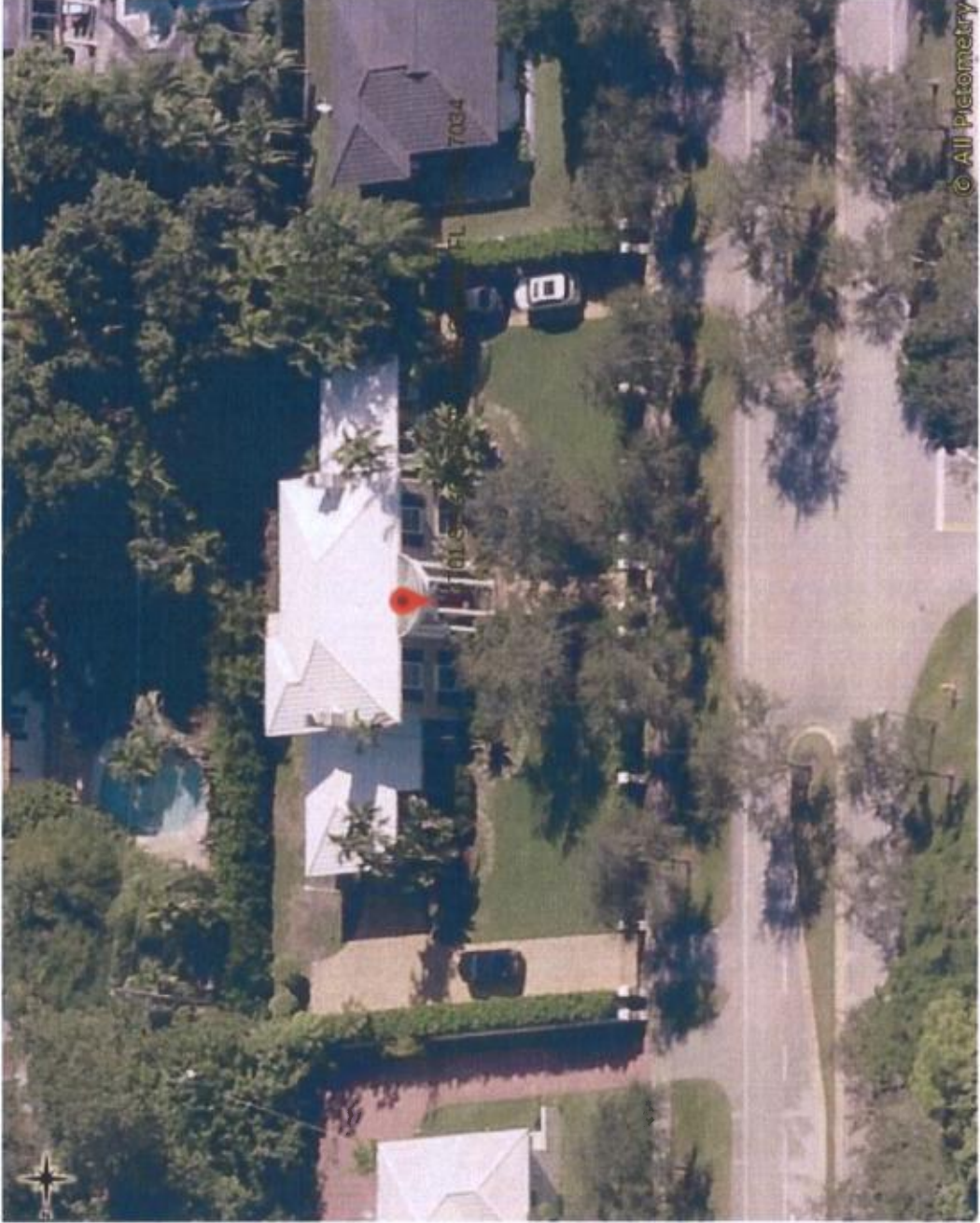


3511 Alhambra Cir  
Coral Gables, Florida  
[View on Google Maps](#)



# Miami-Dade Property Appraiser

Property Address: 3701 SEGOVIA ST, Coral Gables, FL 33134-7034





Segovia St  
Coral Gables, Florida  
[View on Google Maps](#)







649 Palmarito Ct



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649 Palmarito Ct

EXHIBIT P



The City of Coral Gables

*Historical Resources Department*

February 28, 2011

Alexis Izquierdo  
5751 SW 49 Street  
Miami, FL 33155

Re: 730 Escobar Avenue, Lots 31-33 inc. Block 135 of Country Club Section 6

Dear Mr. Izquierdo:

Section 3-1107(g) of the Coral Gables Zoning Code states that "No permit for demolition of a non-designated building shall be issued to the owner thereof without prior notification by the Building Official to the Historical Resources Department. All demolition permits for non-designated buildings must be approved and signed by the Director of the Department of Historical Resources. Such signature is valid for six (6) months and shall thereafter expire and the approval deemed void unless the demolition permit has been issued by the Building and Zoning Department. The Historical Resources Department may require review by the Historic Preservation Board if the building to be demolished is considered eligible for designation as a local historic landmark or as a contributing building or property within an existing local historic landmark district. The public hearing shall be held at the next regularly scheduled meeting if the provided statutory notice is complied with at which time the provisions of this Division shall apply. The determination of historic significance and eligibility for designation as a local historic landmark by the Historic Preservation Board is a non-final and non-appealable decision."

Therefore, please be advised that after careful research and study of our records and the information you presented the following information has been determined:

**730 Escobar Avenue, Lots 31-33 inc. Block 135 of Country Club Section 6, does not meet the minimum eligibility criteria for designation as a local historic landmark. Therefore, the Historical Resources staff will not require review by the Historic Preservation Board if an application is made for a demolition permit.**

Please note that, pursuant to Section 2-705(b)(15) of the Coral Gables Zoning Code, this determination does not constitute a development order and is valid for a period of six (6) months. In the case where the Historic Preservation Officer or designee determines that the property does not meet the minimum eligibility criteria for designation, a permit for the demolition of the property must be issued within the six-month period. Upon expiration of the six-month period, you will be required to file a new application.

EXHIBIT Q



730 Escobar Ave - Curtis E. Haley Designed "Neoclassical" Home