

HISTORIC PRESERVATION BOARD
CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. HPR198-COASP2014-02

A RESOLUTION GRANTING A VARIANCE IN CONNECTION WITH A SPECIAL CERTIFICATE OF APPROPRIATENESS FOR THE PROPERTY LOCATED AT 997 NORTH GREENWAY DRIVE (THE COUNTRY CLUB OF CORAL GABLES), A CONTRIBUTING STRUCTURE WITHIN THE "COUNTRY CLUB OF CORAL GABLES HISTORIC DISTRICT," LEGALLY DESCRIBED AS LOTS 1 THROUGH 9 AND LOTS 37 THROUGH 39, BLOCK 32, CORAL GABLES SECTION "B," AND REPEALING ALL RESOLUTIONS INCONSISTENT HEREWITH.

WHEREAS, a public hearing of the Coral Gables Historic Preservation Board was advertised and held, as required by law, and all interested parties concerned in the matter were given an opportunity to be heard; and

WHEREAS, Article 3, Section 3-1113 of the Coral Gables Zoning Code states that "The Historic Preservation Board shall have the authority to grant any variance from the terms of the Zoning Code of those properties designated as historic landmarks, either individual sites or buildings within districts, where it is deemed appropriate for the continued preservation of the historic landmark or historic landmark district. The board shall only authorize such variances in conjunction with an application for a Special Certificate of Appropriateness;" and

WHEREAS, a Certificate of Appropriateness Report, Case File COA (SP) 2014-02, prepared by the Historic Landmark Officer containing information on the specific alterations, demolitions, additions or other work to the property shall by reference be made a part of this resolution; and

WHEREAS, upon due and proper consideration having been given to the matter it is the opinion of this Board the request would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Code of Coral Gables; and

WHEREAS, a request for the following was made:

1. Grant a variance to allow the property to provide approximately nineteen point four percent (19.4%) landscaped open space vs. property shall provide landscaped open space of not less than thirty-five percent (35%) of the area of the building site as required by Section 4-204 (D) (3) of the Coral Gables Zoning Code; and

WHEREAS, a motion to approve the application was offered by Margaret Rolando and seconded by Tony Newell, and upon a poll of the members present the vote was as follows:

<u>Board Member</u>	<u>Vote</u>
Carmen Guerrero	Nay
Dolly MacIntyre	Aye
Tony Newell	Aye
Robert Parsley	Abstained
Judy Pruitt	Aye
Margaret Rolando	Aye
Alejandro Silva	Aye

Venny Torre
Dorothy Thomson

Absent
Nay

NOW THEREFORE BE IT RESOLVED BY THE HISTORIC PRESERVATION BOARD OF THE CITY OF CORAL GABLES, that the requested variances are hereby approved subject to the following conditions:

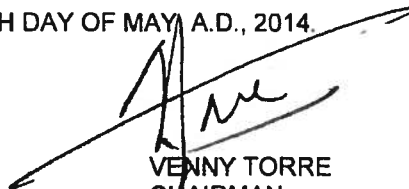
1. That the variances herein granted shall be void twelve (12) months after the date of their approval herein if a permit has not been issued in that time, which may be extended one (1) time for an additional twelve (12) months, with good cause, upon written application to the Development Review Officer.
2. That this resolution shall become effective upon the date of its adoption herein.

BE IT FURTHER RESOLVED, that the approval of the variance(s) is predicated on the following:

1. That all the above recitations are true and correct and incorporated herein.
2. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district
3. That the special conditions and circumstances do not result from the actions of the applicant
4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district
5. That literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Code and would work unnecessary and undue hardship on the applicant
6. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
7. That granting the variance will not change the use to one that is different from other land in the same district.
8. That the granting of the variance will be in harmony with the general intent and purpose of the Zoning Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
9. That the granting of the variance is appropriate for the continued preservation of an historic landmark or historic landmark district.

The approval granted herein does not constitute a final development order. Any aggrieved party desiring to appeal a decision of the Historic Preservation Board shall, within ten (10) days from the date of such decision, file a written Notice of Appeal with the City Clerk.

PASSED AND ADOPTED THIS EIGHTH DAY OF MAY A.D., 2014.



VENNY TORRE
CHAIRMAN,
HISTORIC PRESERVATION BOARD

ATTEST:



DONA M. SPAIN
HISTORIC LANDMARK OFFICER

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



BRIDGETTE N. THORNTON,
DEPUTY CITY ATTORNEY