



City of Coral Gables Planning and Zoning Staff Report

Applicant: Jorge Navarro, Esq.
Application: Variance - VARI-25-10-0024
Property: 240 Edgewater Drive
Legal Description: Tract 1, Baker Homestead
Present Owners: The Jon Paul Perez 2018 Trust
Present Use: Single-Family Residential
Zoning District: Single-Family Residential (SFR)
Public Hearing: Board of Adjustment
Date & Time: Monday, December 1, 2025; 9:00 a.m.
Location: First Floor Conference Room
Development Services Department
427 Biltmore Way, Coral Gables, Florida, 33134

1. APPLICATION REQUEST

Request for a Variances for the property located at 240 Edgewater Drive pursuant to the provisions of Ordinance No. 2021-07 as amended and known as the "Zoning Code."

- 1. Request for a variance to allow an eight-foot (8') aluminum picket fence on the west side of the subject property, where six feet (6') is the maximum height allowed, pursuant to Section 5-403.D of the Coral Gables Zoning Code.*

2. BOARD OF ARCHITECTS REVIEW

Permit Application BOAR-25-10-1284 was approved by the Board of Architects on October 16, 2025.

3. ADVERTISING

This application was advertised in the Miami Dade County Legal Ads and Public Notices on November 21, 2025. Letters were mailed to properties within one thousand feet of the subject property on November 18, 2025, and the property was posted on November 18, 2025.

4. STAFF OBSERVATION

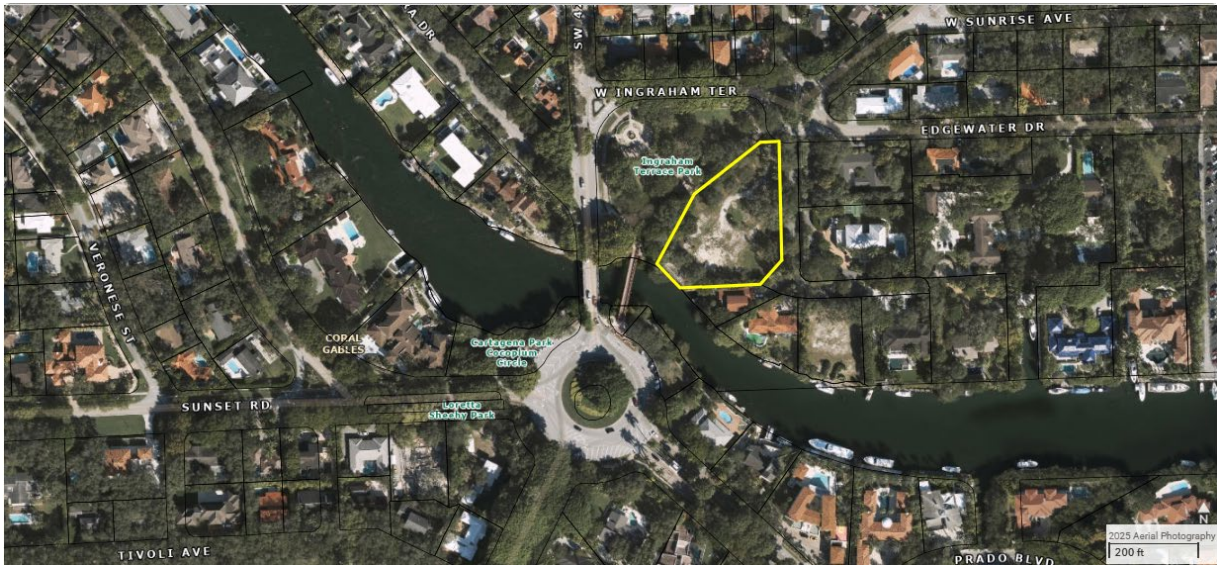
The subject property, 240 Edgewater Drive, is zoned single-family residential. It borders Ingraham Park to the west, a private access drive to the east, Coral Gables waterway to the south and a limited frontage on Edgewater Drive. The lot is irregularly shaped and approximately 62,763 +/- square feet. There was a single-family home on the site, but it was demolished because the current owner is in the process of developing a new house.

In 2023, the site was granted a variance for a tennis court located in the front yard between the main building and the street (Edgewater Drive). Currently, the owner is proposing to install an eight-foot (8') aluminum picket fence on the west side abutting the Ingraham Park.

The Zoning Code requires that walls and fences shall not exceed four (4) feet in height per Section 5-403, ***Height of walls and fences. Walls or fences shall not exceed four (4) feet in height from the established grade or the actual ground level at such wall or fence, whichever is more restrictive, unless granted by the Board of Architects to maximum of twelve (12) inches to account for topography, except in the following cases:***

- A. *Wing walls, hereby defined as a wall or walls which extend parallel from a building to or toward the property line, parallel to and in line with the front of said building, may exceed four (4) feet in height in residential districts, as approved by the Board of Architects. Gates may be incorporated into the wing wall.*
- B. *The courtyard or patio of a residence, duplex or multi-family dwellings may exceed four (4) feet in height in residential districts.*
- C. *Walls used for screened enclosures in residential districts may exceed four (4) feet in height, provided such walls meet the setback requirements for screened enclosures, and provided that the enclosed ground area, the accessory buildings and the main buildings does not exceed forty-five (45%) percent of the enclosed area of the site.*
- D. ***Ornamental wrought iron picket, cast iron picket and/or aluminum picket fences may be erected between masonry columns to a maximum height six (6) feet, subject to the Board of Architects approval for the location and design.***
- E. *Subject to the approval of the Board of Architects, ornamental wrought iron picket, cast iron picket and/or aluminum picket fences may be erected on top of a masonry wall or between masonry columns provided that the height of the masonry wall shall not exceed four (4) feet and the maximum height of the wrought iron, cast iron, aluminum and masonry wall or column shall not exceed six (6) feet.*
- F. *Columns in connection with a fence and wall may include a cap or architectural feature as a vertical extension of the column up to a maximum of four (4) inches above the maximum permitted fence or wall height.*
- G. *Where residential and commercial districts adjoin each other, a six (6) foot high wall shall be constructed along the property line between the commercial and residential properties. The wall shall be constructed and maintained by the commercial property owner; however, the abutting residential property owner may construct and maintain the wall.*
- H. *On buildings sites with less than seventy-five (75) feet of street frontage, solid walls located in the rear yard may exceed four (4) feet in height to a maximum of six (6) feet for increased privacy.*
- I. *Subject to the approval of the Board of Architects or Development Review Official, wall motifs and other architectural details may exceed the wall height.*

This request requires a public hearing, including review and approval by the Board of Adjustment. The Board provides relief from hardships and errors in the application of the regulations.



Aerial of existing condition

Fences, in general, help define boundaries by creating a clear barrier between properties. Fences send the message that there is a main entry point elsewhere and users must seek permission to enter. There is an existing 2-foot coral rock wall between the subject property and the park. Coral rock walls are part of the city's historical landmarks, contributing to the unique aesthetic and cultural heritage of Coral Gables.

Ingraham Park is a recently improved, well-maintained neighborhood park. It is a passive park with no shelters or bathrooms and is designed for peaceful activities such as walking and enjoying the landscape. The city has several neighborhood parks, such as Ingraham Park, that are located in residential areas adjacent to single-family homes.

5. STAFF RECOMMENDATION

Pursuant to Section 14-207 Standards for Variances of the “Zoning Code,” the Zoning Division staff finds as follows in regard to the applicant’s proposal as presented in their application for a variance from the provision of Ordinance No. 2021-07, as amended and known as the “Zoning Code,” and makes the following findings:

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

Does not meet the standard required for authorization of variance.

The subject property is zoned single-family residential. It borders Ingraham Park to the west, a passive park designed for peaceful activities such as walking and enjoying the landscape. There is an existing 2-foot coral rock wall between the subject property and the park, that helps define boundaries by creating a clear barrier between the two properties.

Regardless of their height, fences send the message that there is a main entry point elsewhere and users must seek permission to enter. The city has several neighborhood parks, such as Ingraham

Park, that are in residential areas adjacent to single-family homes. Staff does not find a special condition that warrants an eight (8) foot high fence.

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

Does not meet the standard required for authorization of variance.

Staff does not find special conditions and circumstances that exist which are peculiar to the land that warrants granting eight-foot (8') high fence as requested. There is already a 2-foot coral rock wall that sets boundaries between the two properties. Generally, fences shall be no more than four feet height. The applicant is allowed a six-foot (6') high fence in accordance with the zoning code requirements and may supplement it with landscaping or hedging with no height limitation to achieve basic level privacy.

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

Does not meet the standard required for authorization of variance.

Several neighborhood parks, such as Ingraham Park, are in residential areas adjacent to single-family homes and are subject to the same regulations.

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

Does not meet the standard required for authorization of variance.

As suggested to the applicant, if the intent is to achieve privacy and security, the fence could be six feet with landscaping or hedge placed on the inside. Therefore, the literal interpretation of the provisions of these regulations would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district

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

Does not meet the standard required for authorization of variance.

As suggested to the applicant, if the intent is to achieve privacy and security, the fence could be six feet with landscaping or hedge placed on the inside. Reasonable use of the property is not hindered, as there are available options that comply with the code.

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

Does meet the standard required for authorization of variance.

Granting the variance requested will not change the use of the property. The subject property will remain a single-family home, permitted in this single-family residential zoning district.

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

Does meet the standard required for authorization of variance.

The granting of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

- 8) The granting of the variance is appropriate for the continued preservation of an historic landmark or historic landmark district.**

Not applicable. *The property is not a historic landmark or in a historic landmark district.*


The Planning and Zoning Division staff recommend DENIAL.

6. ATTACHMENTS

- A. Applicant's submittal package.
- B. Property Appraiser Summary Report.
- C. Legal advertisement published.
- D. Notice mailed to all property owners within 1,000 feet.

Please visit the City website at www.coralgables.com to view all application materials. The complete application also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,



Arceli Redila, AICP, LEED AP
Zoning Administrator
City of Coral Gables, Florida