

1 CITY OF CORAL GABLES
2 HISTORIC PRESERVATION BOARD
3 DECEMBER 21, 2022,
4 CORAL GABLES CITY COMMISSION CHAMBERS
5 405 BILTMORE WAY, CORAL GABLES, FLORIDA

6 EXCERPT: 1258 OBISPO AVENUE
7
8

9 Board Members Present:

10 Albert Menendez, Chairperson
11 Cesar Garcia-Pons, Vice-Chairperson
12 Alicia Bache-Wigg
13 Xavier F. Durana
14 Bruce Ehrenhaft
15 John P. Fullerton
16 Michael J. Maxwell
17 Margaret "Peggy" Rolando
18 Dona Spain

19 City Staff:

20 Warren Adams, Director of Historical Resources

21 Also Participating:

22 Bernadette M. Gomez, Esq.
23 Javier Avila
24
25

1 THEREUPON:

2 The following proceedings were had:

3 * * * * *

4 MR. MENENDEZ: Okay. Next Case File,
5 Case File COA (SP) 2022-034: An
6 application for the issuance of a Special
7 Certificate of Appropriateness for the property
8 at 1258 Obispo Avenue, a Contributing
9 Resource within the "Obispo Avenue Historic
10 District," legally described as Lots 1 and
11 2, Block 3, Coral Gables Section "E,"
12 according to the Plat thereof, as recorded
13 in Plat Book 8, at Page 13 of the Public
14 Records of Miami-Dade County, Florida. The
15 application requests design approval for
16 the demolition of the existing residence.

17 Mr. Adams.

18 MR. ADAMS: Okay. This property is a
19 contributing property within the Obispo
20 Avenue Historic District. The residence
21 was permitted in 1945, designed by
22 Architect William Merriam.

23 In 2014, a Special COA was approved for
24 a large one story addition to the
25 residence. This was never built and the

1 COA expired.

2 In 2019, a Special Certificate of
3 Appropriateness for additions and
4 alterations to the residence and sitework
5 was approved with multiple conditions by
6 the Historic Preservation Board. This
7 proposal was never built.

8 In July 2021, the Historic Preservation
9 Board reviewed the request for a revision
10 to the prior COA for the removal and
11 replacement of the roof and floor framing
12 due to the poor condition. A replica of
13 the roof was to be built and the floor was
14 to be replaced with a lower concrete slab.

15 The Board made a motion to defer this
16 request and suggested that a structural
17 engineer, who is familiar with the
18 residence, be present and participate in
19 the discussion. The applicant did not
20 return to the Board and the proposal did
21 not proceed.

22 Staff met with the applicants, that's
23 the current applicants, who are the new
24 owners, prior to the purchase of the
25 property and explained the prior Board

1 reviews and outcomes and what a
2 contributing property was. So that was all
3 discussed.

4 So the application that has been
5 submitted by the new owners, who I believe
6 purchased the property in March of this
7 year, requests design approval for the
8 demolition of the existing residence. And
9 for clarification, the applicants went to
10 the Board of Architects with the proposed
11 design of the new house. The Board of
12 Architects did not want to review that
13 design, until we had whether the demolition
14 was being approved or not.

15 So you have copies of the plans for the
16 proposed house there. They are not under
17 review. They're purely to show you that
18 the applicant does have plans for a new
19 property.

20 In support of the request, the
21 applicant has stated the existing
22 conditions are completely uninhabitable and
23 beyond repair. The intent is to remove and
24 rebuild the property, with its original
25 shape, while adding square footage that

1 will complement the City.

2 Although not before the Board for
3 review, the proposed plans for the new
4 structure indicate the original exterior
5 shape will not be retained and the entrance
6 to the new house will be on Madrid Street
7 rather than Obispo. So, again, that's not
8 under review. It's only for information.

9 The applicant did submit two structural
10 evaluations in support of the existing
11 conditions. The first evaluation was done
12 in 2020, which I believe was possibly
13 prepared by the prior owner, to meet the
14 Board requirement to have a structural
15 engineer go there, and there was
16 notification with decay, terminate damage,
17 damage to structural members, water damage,
18 subfloor framing damage, and that there
19 have been some repair work.

20 A second report from December 2021
21 states that the general structure shell of
22 the house is in poor condition, water was
23 observed, infested by termites, water
24 intrusion, aging, stability and carrying
25 capacity of some of the wood elements were

1 affected, wood joists repairs were done
2 that didn't comply with Code, exterior
3 windows in poor condition, metal frames
4 rusted and concrete walls are not braced at
5 ground floor level.

6 However, this engineer's report then
7 made recommendations. The first
8 recommendations were that the roofing
9 system and tiles, the roof plywood
10 sheathing, and around fifty percent of the
11 roof wood joists, and ceiling woods must be
12 removed and replaced, wood floor and
13 subfloor replaced, exterior windows
14 replaced.

15 And under the conclusions, it stated,
16 it is our opinion that the costs of the
17 necessary repair works in this property to
18 restore the structural integrity of the
19 house can be similar to the total cost of a
20 new construction.

21 So the engineer's report says this
22 house can be repaired. It's purely a
23 matter of cost as to why demolition is
24 being requested.

25 So, from the reports, it can be

1 determined that the applicants were aware
2 of some of the issues prior to purchase,
3 from the first structural report, and the
4 second report indicates that repairs are
5 possible.

6 So the Code states that, when
7 considering a request to demolish a
8 structure within a Historic District, the
9 following sections of the Code applies
10 regarding demolition. I've included that
11 in the report for your review.

12 So, one of those requirements or one of
13 the things that the Board can do is, if a
14 demolition is granted, you can defer the
15 date of demolition to allow another use or
16 relocation of the property. So Staff would
17 recommend that if that's the option you're
18 taking, that the demolition is deferred.

19 And there's another option for the
20 Board, if demolition is approved, that
21 materials or architectural features from
22 the house be salvaged and retained for
23 reuse in other structures. So Staff would
24 recommend that.

25 And, also, under this section, there

1 are a number of factors that the Board
2 shall consider when determining whether a
3 property should be demolished. So you must
4 consider these criteria.

5 So Number 1 is, the degree to which the
6 building, structure, improvement or site
7 contributes to the historic and/or
8 architectural significance of the district.
9 And Staff's response to that is, the
10 building is a contributing resource within
11 the district. Its removal would
12 irreversibly and negatively impact the
13 historic and architectural significance.

14 The second one is whether the building,
15 structure, improvement is one of the last
16 remaining examples of its kind in the
17 neighborhood. Well, this building is not
18 one of the last remaining examples of its
19 kind in the neighborhood.

20 The third one is whether the loss of
21 the building would adversely affect the
22 historic or architectural integrity of the
23 site or district. The loss of the building
24 would adversely affect the historic and
25 architectural integrity of the district and

1 would result in one less contributing
2 structure.

3 Whether retention of the building would
4 promote the general welfare of the City by
5 providing an opportunity for the study of
6 local history, architecture, as the
7 building retains much of its integrity, it
8 provides an opportunity for study of local
9 history and architecture.

10 Whether architectural plans have been
11 presented to the Board for the reuse of the
12 property, well, they have.

13 Whether the structure, improvement,
14 site poses imminent threat to the public
15 health or safety, the building does not
16 pose an imminent threat to public safety,
17 as it is not been determined to be an
18 unsafe structure.

19 Whether the applicant has demonstrated
20 that retention of the building would create
21 an unreasonable or undue economic hardship,
22 the applicant has not submitted the
23 required documentation for the
24 consideration of undue economic hardship.

25 Or whether there's a compelling public

1 interest requiring the demolition, there is
2 no compelling public interest, as
3 demolition would negatively impact the
4 historic district, and the second
5 engineering report indicates repairs are
6 possible.

7 So it's Staff's opinion that the
8 building isn't dangerous. The applicants
9 were aware of the condition before they
10 bought it. The second structural report
11 suggests it can be saved. Nothing's been
12 submitted stating that there's any economic
13 hardship, and most of those criteria
14 regarding demolition support Staff's
15 opinion that the building should be saved.

16 I've also included some information in
17 the report about demolition by neglect. As
18 you know, if a building is left to decay,
19 then there is the opportunity to move ahead
20 with demolition by neglect. That's not
21 under your consideration. That has to be
22 determined by the Building Official. All
23 you're looking at, at the moment, is the
24 request for the demolition.

25 So a lot of other information in here

1 was really just for your information.

2 So when the applicant submitted the
3 proposed new house to the Board of
4 Architects, they deferred it to you,
5 because they wanted to see if the
6 demolition would be approved. Staff's
7 opinion is, the house is contributing.
8 Demolition of any contributing resource
9 will result in a negative and irreversible
10 impact to the district.

11 The applicant submitted two structural
12 reports. The Anton report was prepared
13 prior to the purchase and indicated
14 structural issues with the floor and roof.
15 The Canelas report indicates similar
16 issues, but indicates it can be repaired.

17 As noted above, it's the opinion of
18 Staff the request meets only two of the
19 eight criteria regarding demolition. And
20 as noted by Staff, it appears the structure
21 suffers from seven of the ten defects
22 regarding demolition by neglect.
23 Therefore, based on everything, Staff's
24 recommendation is to deny the request for
25 demolition.

1 MS. GOMEZ: Good afternoon, Board
2 Members. My name is Bernadette. I'm here
3 on behalf of the applicants, Jennifer and
4 Javi.

5 He already went through the brief
6 history of the house, but I'd like to just
7 summarize, once again. The house was
8 permitted in 1945, and the owner lived
9 there for approximately 70 years, until
10 selling it in 2013.

11 That second owner, in 2013, applied for
12 an addition to the house, but the addition
13 was never made.

14 The house is thereafter sold, in 2017,
15 to a third owner. The third owner, again,
16 applied for additions and renovations to
17 the home, but these were never made.

18 Our applicants now purchased this house
19 in 2021. So it's the fourth time that this
20 home has changed hands.

21 All of these former owners were allowed
22 to make renovations and additions to the
23 home, but they never did. I probably
24 shouldn't speculate as to why, but my guess
25 is, probably because the cost benefit

1 analysis didn't make sense.

2 When they purchased the home in 2021,
3 although they purchased plans, as well,
4 they didn't come into this report from 2020
5 until after they purchased it. So, even if
6 they knew before-hand that it was an older
7 home that maybe needed some repairs, they
8 didn't really know the gravity of the home.

9 To summarize the report again just
10 briefly, there's significant termite
11 infestation, water intrusion damage and
12 significant aging that's caused significant
13 disrepair to the roof and the floors.
14 Additionally, this deterioration is
15 significant on numerous wood members, to
16 the point where the integrity, stability
17 and load carrying ability is compromised.
18 So, although, in theory, perhaps, the house
19 can be renovated, how can you renovate a
20 house that the walls can't even bear the
21 weight of the roof?

22 Additionally, the repair cost to
23 restore is not economically feasible,
24 according to this first report, that they
25 did not even come into until after they

1 purchased the home. The repair cost will
2 exceed fifty percent of the cost to replace
3 both, the roof and the flooring framing.

4 After receiving this, they got their
5 own engineer to do a second report, in
6 2021, after they purchased the home. The
7 findings of this report are very similar,
8 significant water intrusion, significant
9 termite damage. It seems that some
10 previous repairs were done, without even
11 complying to the minimum Code requirements.

12 The recommendations of the second
13 report are that the roofing system and the
14 tiles and around fifty percent of the roof
15 must be removed and replaced, keeping in
16 mind that the load-bearing walls, according
17 to the first report, are not sound. The
18 wood floors and part of the floors also
19 need to be repaired, and all of the
20 exterior windows and doors must be
21 replaced. I'm not sure which, but one of
22 the reports even said that a significant
23 wind event or hurricane could possibly be
24 damaging to this house.

25 So, with that in mind, it's difficult

1 to think how they can do significant
2 renovations, that this house requires, with
3 such structurally unsound foundation.

4 So, like I said, they purchased this
5 house in 2021. They are not investigators.
6 They don't want to flip this home. They're
7 a couple, who wants to raise their family
8 in this home. They have an idea of what
9 they want to do to the home, and like he
10 said, although not approved, this is the
11 new construction proposal. So, as you can
12 see, it maintains the original outline, the
13 same footprint, of the home that exists.
14 It just adds on to it.

15 They don't want to come in and ruin the
16 neighborhood. It is a Historic District.
17 They want to keep it in line with the homes
18 that exist there. You can see they have
19 arched windows, arched doorways. I believe
20 there is a color one here.

21 So this structure here is the original
22 home. Again, it hasn't been submitted to
23 the Board of Architects, but they want to
24 keep arched windows that all in line with
25 traditional Coral Gables homes; arched

1 windows, arched doors, the iron that you
2 see in other Coral Gables homes.

3 Additionally, although, yes, it is in a
4 Historic District, the house, as it stands,
5 is not a traditionally Coral Gables-y home.
6 It's not a stucco structure. It doesn't
7 have arched windows. It doesn't have any
8 iron. It doesn't have anything that you
9 look at it and you say, "Wow, that's such a
10 Coral Gables home." It's a home, for all
11 intents and purposes, that although in a
12 Historic District, really could belong in
13 any other neighborhood in Miami.

14 So, for that reason, they are applying
15 to demolish the home and create something
16 in a very beautiful neighborhood, in a
17 nice, big half acre corner lot, that for a
18 long time has sat in disrepair, but
19 hopefully, with the Board's approval, can
20 be demolished and turned into something
21 very beautiful.

22 Thank you for your time.

23 MR. MENENDEZ: I have a question for
24 you. When did the owners purchase the
25 home?

1 MS. GOMEZ: 2021.

2 MR. MENENDEZ: And have they done
3 anything to secure the home --

4 MS. SPAIN: That's what my question is.

5 MR. MENENDEZ: -- since it was in bad
6 condition?

7 MS. GOMEZ: They don't live in the home
8 right now.

9 MR. MENENDEZ: It doesn't matter. They
10 own the home, correct?

11 MS. GOMEZ: Yes.

12 MR. MENENDEZ: Have they done anything
13 to -- you know, any repairs, have they done
14 anything to secure the home, the water
15 intrusion, anything?

16 MS. GOMEZ: There were a few broken
17 windows and they've repaired the windows to
18 fix the glass that was -- the water that
19 was coming in, because there was active
20 water intrusion, as well.

21 MR. MENENDEZ: Okay. But they haven't
22 fixed the roof?

23 MS. GOMEZ: Well, they didn't want to
24 put money into a home that they were hoping
25 to demolish if it wasn't structurally

1 sound.

2 MR. MENENDEZ: They purchased the home
3 to live in the home.

4 MS. GOMEZ: Right, but they didn't know
5 the state of disrepair and the dilapidation
6 that the home had when they bought it,
7 until they came into the first engineering
8 report, after they had already purchased
9 it.

10 MR. MENENDEZ: Yeah. From what I read,
11 the second engineering report says that the
12 house, you know, can be repaired.

13 MS. GOMEZ: Well, it can be repaired,
14 but the structural soundness is not there.

15 MR. MENENDEZ: Well --

16 MS. GOMEZ: If there's a wind event or
17 if there's a hurricane that could hurt the
18 home, then how much repair can you do? How
19 can you realistically repair a whole roof
20 that a hurricane could knock down?

21 MS. SPAIN: Okay. That's done all of
22 the time. That's a roof repair.

23 MR. MENENDEZ: Yeah.

24 MS. SPAIN: And they bought a
25 historically designated home. I can't

1 imagine they bought that house and decided
2 they could demolish it. I just can't
3 imagine that was a their thought when they
4 purchased the home.

5 MS. GOMEZ: Well --

6 MR. MENENDEZ: And they knew the
7 condition of the home when they bought it,
8 correct?

9 MS. GOMEZ: Well, they knew it was an
10 older home that needed repair, but they
11 didn't have the engineering report with the
12 specifics, and they're not engineers.

13 MR. MENENDEZ: So there was no
14 inspection --

15 MR. AVILA: Excuse me. I'm the
16 homeowner, okay.

17 MR. MAXWELL: State your name.

18 MR. AVILA: My wife and I bought the
19 property.

20 MR. MENENDEZ: Excuse me, what's your
21 name?

22 MR. AVILA: Javier Avila.

23 MR. MENENDEZ: Okay.

24 MR. AVILA: Okay. So when we bought
25 the home, we were informed by the seller

1 that there were plans that were approved to
2 remodel and add square footage to the home.
3 He provided us with those plans.

4 I met with Warren Adams. We went over
5 them. We talked about making some changes
6 to the plans, on the back of the house,
7 where we didn't want French doors. We were
8 going to put sliding glass doors. He was
9 okay, because it didn't face the street.

10 And we did all -- well, we talked about
11 changing the Colonial grids, which is what
12 you see there. So we did all of that.
13 That was before I found out that the house
14 had severe problems.

15 I wound up finding that out after. Did
16 I know that the house looked in bad shape?
17 Yeah, 100 percent. I looked at the house
18 before I bought it. Was I properly
19 informed of the -- you know, the trusses
20 and the floor joists and the walls
21 cracking? I was not. Did I do an
22 inspection? No, because we were remodeling
23 the house. So there was no -- to me, I was
24 okay with taking it as is, because we're
25 remodeling the house. We bought the house

1 with plans.

2 It was later on that we -- we started
3 seeing, hey, this is a little bit worse
4 than what we thought. So I reached out to
5 the seller and was, hey, look, I got a
6 report from this so and so. He got the
7 report. I said, let me do my own report.
8 I got my own report, which is the report
9 that's been presented to you guys.

10 On a separate note, I met with multiple
11 GCs. I don't know if you guys know, but
12 we're -- my wife and I are in the window
13 business. We do a lot of work here in the
14 City and we do a lot of work with Warren
15 and Kara, so we know the process. And I
16 met with multiple GCs, that I've worked
17 with in the past, and I've brought them
18 like the home that my wife and I want to
19 build, that we want to live -- this is
20 where I'm going to have, hopefully, my
21 first child and raise my child -- and
22 they're all telling me the exact same
23 thing, "Javi, we can try to preserve those
24 three walls that were originally approved
25 in the plans, but there is no guarantee

1 that we're going to be able to preserve
2 them." So it's going to cost more money
3 and there's no guarantee. That just
4 doesn't work for me. So that's where I'm
5 at right now.

6 MS. SPAIN: So it's really about the
7 money, because it's going to cost you so
8 much money to make it livable?

9 MR. AVILA: No. It wasn't -- it's not
10 just about it. It's about that there's no
11 guarantee that they're going be able to
12 disassemble the trusses -- and I know that
13 one report says fifty percent, but I
14 recently took -- a couple of months back, I
15 took a roofer, Atlas Roofing, out to the
16 house to take a look at it, and they said,
17 "Look, my suggestion is, we redo
18 everything, because there's patches and" --
19 I'm not a roofer, but there's patches and
20 connections and weird things going on in
21 the attic, that he's like, "I'll be honest
22 with you, I don't even want to touch it.
23 The only way that I suggest you guys deal
24 with this is, rip the whole roof off and do
25 it again from scratch."

1 Parts of the house, around the kitchen
2 area, if you're walking, you better pray,
3 because you might fall right through,
4 because the house is in -- it's just really
5 bad. It's really bad. And it's not
6 just -- yes, money is 100 percent, it's
7 part of my calculation, but the main part
8 is, I'm going to make an additional
9 investment, because it costs more to try to
10 preserve, with no guarantee that I'm going
11 to preserve it.

12 So my GC starts --

13 MS. SPAIN: I'm asking, because there's
14 an application for economic hardship that
15 would come before this Board, but you're
16 not here about that? So that's not under
17 consideration, the money --

18 MR. AVILA: I don't know even know what
19 --

20 (Simultaneous speaking.)

21 MS. SPAIN: I'm just saying --

22 MR. AVILA: Yeah, I don't know about
23 that. I'm just --

24 MR. FULLERTON: Excuse me, did you know
25 that this was a historically significant

1 residence?

2 MR. AVILA: I did, but I was okay with
3 the plans that were presented to me, that
4 had already been, right, somewhat approved
5 or --

6 MR. ADAMS: I did see plans for an
7 amended addition. I did see that.

8 MR. FULLERTON: If that house that we
9 see to the left, the portion of the house,
10 is -- includes walls from the original
11 house, couldn't you demolish parts of it to
12 relieve -- you know, keep significant
13 portions of the exterior of the house which
14 face the streets?

15 MR. AVILA: So that's what we're
16 talking about, is that -- let's just say,
17 the part that we're going to be keeping
18 would be like -- from like, let's say, the
19 first -- second window that way back -- uh?

20 No. No. No. The part that we're
21 talking about, on the original plans that
22 were approved to remodel and add square
23 footage to the house was, to maintain from
24 the second window, that way, the back wall,
25 and then a portion of the return wall. So

1 it's basically like a little "L." That's
2 all that we're holding.

3 That's what I'm trying to explain, is
4 that my -- the multiple GCs, everybody that
5 I've taken there, they've all given me the
6 same disclaimer, no guarantee -- it's going
7 to cost more money to do and no guarantee
8 that we're going to be able to preserve it.

9 And, then, when I come to think about
10 it, what am I preserving? The windows are
11 gone. The trusses are gone. The roof is
12 gone. The joists are gone. Everything's
13 gone. What am I holding? Three walls --

14 MR. FULLERTON: Preserving your right
15 to do the project.

16 MR. AVILA: Right -- no -- what do you
17 mean, I'm preserving my right to do the
18 project?

19 MR. FULLERTON: Well, if you're not
20 allowed to demolish the entire house, I
21 believe, and it's been done before, that
22 significant portions of the house --
23 preserving the exterior walls, significant
24 portions of the exterior walls, allows you
25 to proceed with an addition and with

1 redoing the house.

2 MR. AVILA: And I was okay with that
3 when I purchased the house, is what I'm
4 trying to explain to the Board.

5 MR. FULLERTON: Well --

6 MR. AVILA: I was 100 percent okay with
7 that. It was later, with our findings,
8 that we realized that the house had --

9 MR. FULLERTON: But they're concrete
10 block walls and that's presumably --

11 MR AVILA: Where's the thing? How do
12 I -- how do I go back?

13 Okay. So the windows are all gone.
14 Electrical -- I want to show you something.

15 So these are part of the exterior
16 walls, that this -- this exterior wall, on
17 its own, it's starting to explode from the
18 inside out.

19 MR. FULLERTON: It's all repairable.

20 MR. AVILA: The floor joists -- I mean,
21 the house is -- the house has really bad
22 damage, really bad damage, and to raise the
23 walls or fill the walls or whatever it is
24 that they're saying, is going to cost a lot
25 of money, with no guarantee.

1 MR. MENENDEZ: Ms. Rolando.

2 MR. FULLERTON: Concrete block walls,
3 on a concrete floor foundation, that is
4 pretty sound construction. Now, your wood
5 has to be removed, yeah, but you would have
6 to put a new roof on it anyway, and -- I
7 mean, you're fighting a battle which
8 doesn't need to be fought. You preserve
9 the exterior walls, a significant portion
10 of them, and then you build the interior of
11 the house, which you would have to do
12 anyway -- you're going to build a new house
13 there -- including the area where this
14 house resides. You're going to have to
15 build it over again. So why not just
16 preserve the outside walls? And then go
17 ahead with a roof that matches the old roof
18 and stucco it and -- seems really not so
19 complicated.

20 MR. AVILA: I get what you're saying,
21 okay, to preserve three walls.

22 MR. MENENDEZ: Ms. Rolando.

23 MS. ROLANDO: You are coming to us
24 asking to demolish a home because it needs
25 to be re-roofed, its electrical system is

1 antiquated, and it needs new windows and
2 doors. We get applications for approvals
3 every single month that -- where the
4 renovations include those items,
5 re-roofing, new windows and doors and a new
6 electrical system. That's not
7 justification for demolishing a home.

8 You're saying that there's termite
9 damage. I totally believe you. But if the
10 termites have been marching through that
11 home for ten years and nothing has been
12 done, that doesn't necessarily make the
13 home worthy of demolition.

14 Same thing with water intrusion. We
15 get situations here regularly where there's
16 been significant water intrusion, because
17 of issues with the windows and doors, the
18 stucco failing, whatever. This is a
19 75-year-old home, and it's been neglected.
20 But I -- you haven't convinced me that it's
21 worthy of demolition. Does it need a lot
22 of work? Totally. And I think anybody who
23 buys a home in this condition and doesn't
24 do an inspection to quantify the scope of
25 the issues, before you close, you're trying

1 to make that failure a reason for
2 demolition.

3 So I'm not prepared to say that this
4 home -- and we've seen plenty of homes come
5 through here with a lot worse water
6 intrusion than this situation.

7 MR. AVILA: So my request is -- yes,
8 the electrical is part of it, windows is
9 part of it, 100 percent, but it's the
10 structural component that is my reasoning
11 for wanting to demolish the home. In the
12 reports, it says that it does have
13 structural issues, something about bracing.
14 I'm not a structural guy. The -- the --

15 MS. ROLANDO: No, we have homes where
16 they have to brace the walls.

17 MR. AVILA: The engineer that I spoke
18 to told me himself, the last one that I
19 hired, he said, "Look, my advice is, is
20 knock it and do it from scratch." The GCs
21 have all said the same thing, it's going to
22 cost more money to try to preserve it with
23 no guarantee.

24 So and just -- you've got to look at it
25 from my standpoint for a second, okay.

1 So -- and I'm going to repeat it again,
2 what am I preserving? All of the roof has
3 to go, the flooring has to go, the windows
4 got to go, everything's got to go. What am
5 I preserving? Three walls. Risk
6 preserving three walls, that I'm going to
7 spend more money, with no guarantee.

8 And, then, I'm going to be honest here,
9 I don't -- I want to live in a house that
10 I'm going to feel safe. I've lived in this
11 City for over twenty years, I've lived in
12 the same place for twelve, waiting for my
13 dream home to be built, so that I can, you
14 know, hopefully have my first child. So I
15 want to live in a home that I'm going to
16 feel safe. Does that house make me feel
17 safe? Absolutely not. Zero.

18 So that's where I'm coming to you guys.
19 I mean, put yourselves in my shoes for a
20 second. What am I preserving, three walls,
21 with no guarantee? There's no windows that
22 I'm preserving. There's nothing there that
23 could be preserved.

24 MR. FULLERTON: You're taking all of
25 the windows out anyway. You're putting in

1 new windows every place, every place,
2 but --

3 MR. AVILA: Correct, but what -- guys,
4 think about it, electrical is gone. I've
5 got to yank out all of the windows. I've
6 got to yank out the roof. I've got to redo
7 the trusses. I've got to redo the
8 joists -- the floor joists.

9 MR. FULLERTON: This happens all of the
10 time. It happens on --

11 MR. MENENDEZ: Like it's done every
12 day.

13 MR. FULLERTON: -- on two-story houses.

14 MR. AVILA: And then -- and then we've
15 got --

16 MR. FULLERTON: They preserve the
17 exterior walls, on a two-story house,
18 sections of houses, and they're not so
19 worried, because it's -- the construction
20 down here, starting in the '20s, was
21 concrete block and -- concrete, with steel
22 reinforcement. Those walls have to be
23 pushed down. They just don't fall down.
24 So I think you're overcomplicating your
25 effort.

1 MR. MENENDEZ: What I don't understand
2 is that you bought a home and you spent
3 hundreds of thousands of dollars on that
4 home and you haven't done anything to
5 protect it, to preserve it, to fix it?

6 MR. AVILA: That's just -- I'm sorry.

7 MR. MENENDEZ: You know, for me, that's
8 a big investment and --

9 MR. AVILA: But that doesn't make --
10 why am I going to try to put money into
11 saving something that I'm going to
12 completely remodel? So why would I spend
13 any money on redoing a roof or fixing a
14 window or doing something -- I mean, I can
15 tell we're disagreeing, we're not agreeing,
16 but that just doesn't make any financial
17 sense whatsoever.

18 I'm going to redo the roof anyway, so
19 why am I going to spend any money to patch
20 up a roof that I'm going to redo completely
21 when I get the plans done?

22 MR. MENENDEZ: Well, then you bought
23 the home to demo it.

24 MR. AVILA: No. I bought the home to
25 do the plans that were approved. We've

1 already agreed that there were plans that
2 were approved for the home, when I
3 purchased the home. That was my intention.
4 I met with Warren -- right, Warren, didn't
5 I meet with you prior -- I met with Warren
6 prior to purchasing the home.

7 I told the seller, "Give me a week.
8 Let me sit with the City." I met with him,
9 my wife and I. And we went through
10 everything. So there was no intention of
11 knocking down the house or anything. That
12 came after. Warren and I sat, we went
13 through the plans, and that was the
14 intention.

15 MR. MENENDEZ: Okay.

16 MR. ADAMS: There were -- we did sit
17 down and review plans for an addition.
18 That was done. So, my understanding was,
19 there was an addition being built and one
20 had been approved not long before that. It
21 was very similar. We made a few
22 amendments. But then we received the
23 application for demolition.

24 MR. MENENDEZ: For demolition, okay.

25 MR. AVILA: And one more thing, the

1 CMUs -- sorry, the CMUs are hollow, so
2 that's another reason why -- and it showed
3 it in one of the pictures.

4 MR. MENENDEZ: Okay. Is there anyone
5 in the audience who would like to speak in
6 favor or opposition of this case? Okay.

7 MR. ADAMS: I would say, Chair, we have
8 a letter from Karelia Carbonell, Historic
9 Preservation Association of Coral Gables.
10 You have copies of it, recommend to work
11 with Staff and the applicant for a plan to
12 avoid demolition of 1258 Obispo Avenue. We
13 cannot support the total demolition of a
14 contributing structure in a historic
15 district.

16 MR. MENENDEZ: Okay. Well, I'm
17 entertaining motions.

18 MR. GARCIA-PONS: I have -- just, sorry
19 -- one question for Staff, and I'm sure the
20 answer is, yes, but have you discussed with
21 the owner the process of a COA and how a
22 lot of this could be reviewed as part of a
23 future project that comes in, taking
24 consideration of what needs to be re-done,
25 as opposed to demolish and start from

1 scratch?

2 MR. ADAMS: Yeah. That was sort of
3 discussed at the time we were discussing
4 the addition, about what the process was,
5 what should be kept. And I should point
6 out that, the prior application to the
7 Board was sort of left unresolved by the
8 previous owner. The previous owner wanted
9 to -- sink the floor level inside the
10 house, take the roof off and replace it.
11 The Board had no issue with lowering the
12 floor level in the house, but they wanted
13 an engineer to come along to explain just
14 how bad the roof was. So that's where it
15 was left. And that never went forward, and
16 then it was purchased.

17 So that last application was left sort
18 of hanging.

19 MR. GARCIA-PONS: One last comment. I
20 think it's important to understand the
21 willingness of Staff to work with all
22 conditions of all properties, inclusive of
23 redoing the floors and roof. So it doesn't
24 have to be demo or re-build. It could be a
25 COA of an existing building, with major

1 renovation. So I wouldn't fear the next
2 process, if it comes to a denial today.

3 MR. MENENDEZ: A motion?

4 MR. MAXWELL: You want me to make a
5 motion?

6 MR. MENENDEZ: I'm open to motions
7 right now.

8 MS. SPAIN: I'll make a motion.

9 MR. MENENDEZ: Go ahead.

10 MS. SPAIN: I'd like to make a motion
11 to deny the design proposal for the
12 demolition of the existing residence for
13 the property at 1258 Obispo Avenue.

14 MR. MENENDEZ: Do I have a second?

15 MR. MAXWELL: Second.

16 MR. MENENDEZ: Mr. Maxwell seconds it.

17 THE SECRETARY: Ms. Rolando?

18 MS. ROLANDO: Yes.

19 THE SECRETARY: Mr. Garcia-Pons?

20 MR. GARCIA-PONS: Yes.

21 THE SECRETARY: Mr. Ehrenhaft?

22 MR. EHRENHAFT: Yes.

23 THE SECRETARY: Mr. Maxwell?

24 MR. MAXWELL: Yes.

25 THE SECRETARY: Ms. Spain?

1 MS. SPAIN: Yes.

2 THE SECRETARY: Mr. Fullerton?

3 MR. FULLERTON: Yes.

4 THE SECRETARY: Mr. Durana?

5 MR. DURANA: Yes.

6 THE SECRETARY; Ms. Bache-Wiig?

7 MS. BACHE-WIIG: Yes.

8 THE SECRETARY: Mr. Menendez?

9 MR. MENENDEZ: Yes.

10 THE SECRETARY: Motion passes.

11 MR. AVILA: Thank you.

12 MR. MENENDEZ: Thank you.

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C E R T I F I C A T E

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

I, NIEVES SANCHEZ, Court Reporter, and a Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did transcribe the foregoing audio proceedings and that the transcript is a true and complete record, to the best of my ability.

DATED this 6th day of February, 2023.



NIEVES SANCHEZ

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