

City of Coral Gables
Local Planning Agency (LPA)/Planning and Zoning Board Meeting
Wednesday, December 11, 2013
Coral Gables City Commission Chambers
405 Biltmore Way, Coral Gables, Florida

MEMBERS	J9	F13	M13	A10	M8	J12	J10	A14	S11	O9	D11	APPOINTMENT
	'13	'13	'13	'13	'13	'13	'13	'13	'13	'13	'13	
Eibi Aizenstat – Chair	P	P	C	C	P	P	C	C	E	P	P	City Manager Patrick Salerno
Marshall Bellin	-	-	-	-	-	-	-	-	P	P	P	Commissioner Vince Lago
Jeffrey Flanagan – Vice Chair	P	P	C	C	P	P	C	C	P	P	P	Commissioner Pat Keon
Julio Grabiell	P	P	C	C	P	P	C	C	P	E	P	Mayor Jim Cason
Maria Menendez	-	-	-	-	-	-	-	-	-	P	P	VM William H. Kerdyk, Jr.
Alberto Perez	-	-	-	-	-	-	-	-	-	P	P	Commissioner Frank C. Quesada

P = Present
E = Excused
C = Meeting Cancelled
R = Resigned
X = Term Expired

City Staff and Consultants:

Ramon Trias, Director of Planning and Zoning Division
Walter Carlson, Asst. City Planner
Jill Menendez, Administrative Assistant
Craig E. Leen, City Attorney
Jane Tompkins, Development Services Director
Charles Wu, Asst. Development Services Director
Dona Spain, Historic Preservation Officer
Lina Hickman, Civil Engineer, Public Works

Court Reporter:

Joan Bailey

Attachments:

1. 12 11 13 Attendance/Speaker Sign In Sheet.
2. 12 11 13 Planning and Zoning Board Meeting Verbatim Minutes.
3. Letters of support entered into the record by Zeke Guilford (25 letters).
4. Documents entered into the record by Gil Haddad (spiral-bound notebook and binder).
5. Letter entered into the record by Laura Reynolds, Tropical Audubon Society.

Attendance/Speaker Sign In Sheet – December 11, 2013

Planning & Zoning Board Meeting

	Name	Mailing Address	Phone	(If you wish to speak, please check the box below)
1.	Gonzalo Sanabria	944 San Pedro	305 785 4239	<input checked="" type="checkbox"/> 3
2.	Gil Haddad	6800 GRANADA		<input checked="" type="checkbox"/> 3
3.	Jorge Dalman	6801 GRANADA	(866) 375 1444	<input checked="" type="checkbox"/> 2
4.	SARA FAIR	1172 S. DIXIE HWY #246	786.942 7680	<input checked="" type="checkbox"/> 4
5.	RICHARD HESENBOITTE	620 SANSEBASTIANO AVE	786-218-6722	<input checked="" type="checkbox"/> 1
6.	MIGUEL ALVAREZ	1207 SOUTH ALHAMBRA CIR	305-462-0214	<input checked="" type="checkbox"/> 5
7.	Laura Reynolds	5530 Snyd Jr.	786-543-1926	<input checked="" type="checkbox"/> 6
8.	Martin Ebbert	6935 Almarosa St	305-665-5701	<input checked="" type="checkbox"/> 7
9.	Ruth Jacobs	10105 Alhambra	305-667-5222	<input checked="" type="checkbox"/> 8
10.				<input type="checkbox"/>
11.				<input type="checkbox"/>
12.				<input type="checkbox"/>

<p style="text-align: right;">Page 1</p> <p>1 CITY OF CORAL GABLES 2 LOCAL PLANNING AGENCY (LPA)/ 3 PLANNING AND ZONING BOARD MEETING 4 VERBATIM TRANSCRIPT 5 CORAL GABLES CITY HALL 6 405 BILTMORE WAY, COMMISSION CHAMBERS 7 CORAL GABLES, FLORIDA 8 WEDNESDAY, DECEMBER 11, 2013, COMMENCING AT 6:05 P.M.</p> <p>9 Board Members Present: 10 Eibi Aizenstat, Chairperson 11 Jeffrey Flanagan, Vice-Chairperson 12 Marshall Bellin 13 Julio Grabiell 14 Maria Alberro Menendez 15 Alberto Perez</p> <p>16 City Staff and Consultants: 17 Ramon Trias, Planning & Zoning Director 18 Walter Carlson, Assistant City Planner 19 Craig E. Leen, City Attorney 20 Jane Tompkins, Development Services Director 21 Dona Spain, Historic Preservation Officer 22 Jill Menendez, Planning Administrative Assistant 23 Charles Wu, Assistant Development Services Director 24 Lina Hickman, Civil Engineer, Public Works</p> <p>25 Others Participating in Proceedings: Eric Riel Zeke Guilford, Esq. On behalf of the Applicant Richard Heisenbottle, Architect Jorge Dalmau</p> <p>Public Speakers: Gil Haddad Sara Fain Aramis "Mitch" Alvarez Laura Reynolds Marlin Ebbert Ruth Jacobs Gonzalo Sanabria</p>	<p style="text-align: right;">Page 3</p> <p>1 of commitment and service, you know, we really 2 want to thank you. Truly, I think I speak for 3 the entire Board, and you've truly done a great 4 job. You really have. You've gone out of your 5 way, and we thank you. So we decided -- 6 MR. RIEL: Oh, wow. 7 CHAIRMAN AIZENSTAT: -- to have a little 8 Emmy, I mean, plaque for you, and I just want 9 to give this to you. 10 MR. RIEL: Okay. I'd like to say a couple 11 words, too. 12 (Applause) 13 MS. SPAIN: I need a photograph, sorry. 14 One more, sorry. I'm not good at this. 15 All right. 16 CHAIRMAN AIZENSTAT: Can we get the rest of 17 the Board up here to get a picture, if that's 18 okay with everybody. 19 MS. SPAIN: One, two, three -- One, two 20 three. Okay, thank you. 21 CHAIRMAN AIZENSTAT: Okay. 22 MR. RIEL: First off, I want to say thank 23 you. I really appreciate this. 24 After working here thirteen and a half 25 years, I have to be thankful for allowing the</p>
<p style="text-align: right;">Page 2</p> <p>1 THEREUPON: 2 The following proceedings were had: 3 CHAIRMAN AIZENSTAT: Let's go ahead and get 4 started, please. 5 I'd like to welcome everybody to tonight's 6 meeting. Will you call the roll? 7 MS. MENENDEZ: Marshall Bellin? 8 MR. BELLIN: Here. 9 MS. MENENDEZ: Jeff Flanagan? 10 MR. FLANAGAN: Here. 11 MS. MENENDEZ: Julio Grabiell? 12 MR. GRABIEL: Here. 13 MS. MENENDEZ: Maria Menendez? 14 MS. ALBERRO MENENDEZ: Here. 15 MS. MENENDEZ: Alberto Perez? 16 MR. PEREZ: Here. 17 MS. MENENDEZ: Eibi Aizenstat? 18 CHAIRMAN AIZENSTAT: Here. 19 The first item on the agenda is going to 20 be, we have with us our former Director, Eric 21 Riel, and he has given this community and this 22 City a great many years of dedicated service, 23 and on behalf of the Board -- 24 Eric, if you would come up, please. 25 On behalf of the Board, for all your years</p>	<p style="text-align: right;">Page 4</p> <p>1 City (sic) the opportunity to grow, from a 2 professional standpoint. I also want to thank 3 my Staff at the time. Jill has been a great 4 administrative assistant, Walter a very 5 dedicated person -- I think he called in sick 6 once in 26 years. I don't see Scot here. Scot 7 started when he was like this tall. 8 I really appreciate -- I couldn't have done 9 it without Staff, and I also couldn't have done 10 it with (sic) the Board Members. You've been 11 very professional with me. We've gone through 12 a lot, in terms of the Zoning Code update, the 13 Comp Plan. You gave me a lot of respect, you 14 gave my Staff respect, and I appreciate that. 15 And I can say, after working for five cities, 16 you are the best Board, and I really appreciate 17 that. 18 CHAIRMAN AIZENSTAT: Thank you very much, 19 and we wish you all the best and all the luck 20 in your future endeavors. 21 MR. RIEL: Thank you. Again, thank you. I 22 appreciate the opportunity to come here this 23 evening, and I'm not going to stay for the 24 meeting. I'll sit in a little bit, but thank 25 you.</p>

<p style="text-align: right;">Page 5</p> <p>1 CHAIRMAN AIZENSTAT: Thank you. 2 (Applause) 3 CHAIRMAN AIZENSTAT: The next item on the 4 agenda, which is going -- which would be the 5 appointment of a Planning Board -- Planning and 6 Zoning Board member, I'd like to move that over 7 to the last item, so we can first go ahead and 8 hear the public hearing that we have before us, 9 if everybody is okay with that. 10 MS. ALBERRO MENENDEZ: Yes. 11 MR. GRABIEL: Yes. 12 MR. PEREZ: Yes. 13 MS. ALBERRO MENENDEZ: Great idea. 14 CHAIRMAN AIZENSTAT: That would be good. 15 Next, let's go ahead, is there a motion to 16 approve the minutes of the October 9th meeting? 17 MR. FLANAGAN: So moved. 18 MS. ALBERRO MENENDEZ: I'll second. 19 CHAIRMAN AIZENSTAT: We have a first and a 20 second. Any discussion? 21 Hearing none, call the roll, please. 22 MS. MENENDEZ: Jeff Flanagan? 23 MR. FLANAGAN: Yes. 24 MS. MENENDEZ: Julio Grabiell? 25 MR. GRABIEL: Fine, yes.</p>	<p style="text-align: right;">Page 7</p> <p>1 "Building Site Determination," to create two 2 separate single-family building sites on a 3 property assigned Single-Family Residential 4 (SFR) zoning and Local Historic Landmark. 5 One building site consists of Lot 1, and 6 the other of Lot 2, submitted concurrently with 7 a proposed replat for the property legally 8 described as Tract 2, Cartee Homestead Section, 9 whose address is 6801 Granada Boulevard, Coral 10 Gables, Florida, including repealer -- 11 including required conditions; providing for 12 severability, repealer, codification, and an 13 effective date. 14 Number 8 is a Resolution of the City 15 Commission of Coral Gables, providing for a 16 Final Plat entitled "Revised Plat of Cartee 17 Homestead," pursuant to Zoning Code Article 3, 18 Division 9, "Platting/Subdivision, being a 19 re-plat of an approximately three-acre site -- 20 single tract into two platted lots for 21 residential, single-family use on property 22 assigned Single-Family Residential (SFR) zoning 23 and Local Historic Landmark, legally described 24 as Tract 2 of Cartee Homestead Section, whose 25 address known as 6801 Granada Boulevard, Coral</p>
<p style="text-align: right;">Page 6</p> <p>1 MS. MENENDEZ: Maria Menendez? 2 MS. ALBERRO MENENDEZ: Yes. 3 MS. MENENDEZ: Alberto Perez? 4 MR. PEREZ: Yes. 5 MS. MENENDEZ: Marshall Bellin? 6 MR. BELLIN: Yes. 7 MS. MENENDEZ: Eibi Aizenstat? 8 CHAIRMAN AIZENSTAT: Yes. 9 Mr. City Attorney? 10 MR. LEEN: Yes. 11 CHAIRMAN AIZENSTAT: The next three items, 12 would you like for us to read them in, all 13 three at the same time? What do you suggest is 14 the best procedure on that? 15 MR. LEEN: I suggest that they be read at 16 the same time, that we hold the public hearing 17 on all of them at once, and then vote on each 18 separately. 19 CHAIRMAN AIZENSTAT: And then vote on each 20 separately? Okay, very good. 21 Item Number 7 is an Ordinance of the City 22 Commission of Coral Gables, Florida, requesting 23 Conditional Use Review for a building site 24 determination, pursuant to Zoning Code Article 25 3, "Development Review," Section 3-206,</p>	<p style="text-align: right;">Page 8</p> <p>1 Gables, Florida, providing for an effective 2 date. 3 And Item 9 is an Ordinance of the City 4 Commission of Coral Gables, Florida, providing 5 for a text amendment to the City of Coral 6 Gables official Zoning Code Appendix A, "Site 7 Specific Regulations," by adding Section 8 A-17.1, "Revised Plat of Cartee Homestead," to 9 indicate Lots 1 and 2 are separate building 10 sites; providing for severability, repealer, 11 codification, and an effective date. 12 First, I'd like to ask, if there's anybody 13 that's going to be speaking today, that if they 14 have already given their names to Jill. If 15 not, please do so. And also, we need to swear 16 in all the people that will be speaking, so if 17 everybody that is going to be speaking would 18 please stand up and raise your right hand. 19 (Thereupon, all who were to speak were duly 20 sworn by the court reporter.) 21 CHAIRMAN AIZENSTAT: Thank you. 22 Mr. Guilford? 23 MR. GUILFORD: Good evening, Mr. Chairman, 24 Members of the Board. For the record, my name 25 is Zeke Guilford, with offices at 400</p>

<p style="text-align: right;">Page 9</p> <p>1 University Drive. It gives me great pleasure 2 to be here this evening, representing the 3 Dalmau family, the owners of property located 4 at 6801 Granada Boulevard. 5 Now, Mr. Chairman, we have gone through the 6 criteria, and what I'd like to do this evening 7 is kind of basically go through the criteria 8 where we disagree with Staff's recommendation 9 and explain to you why we disagree and why we 10 believe that we meet those criteria. So what 11 I'd like to do at this time is basically -- 12 According to Staff, we do not meet the first 13 criteria, which says -- and I think it's 14 important that we understand the language of 15 each criteria that we're going to talk about. 16 It says, "Exceptional or unusual circumstances 17 exist that are site-specific, such as," and it 18 lists three or four items. "Such as" is not a 19 limiting factor to those items. Now, we 20 believe we actually meet two of those, but I 21 think you have to take the whole property into 22 consideration, because it's all the facts that 23 surround the property, and you're not limited 24 to those by the clear language of that 25 criteria.</p>	<p style="text-align: right;">Page 11</p> <p>1 Parker, who was a disciple of Frank Lloyd 2 Wright, and the City has told us that we cannot 3 demo that house. 4 But it gets better. In 1950, the 5 gentleman, Mr. Cardell, actually hired Alfred 6 Browning Parker, but he was a single man, so 7 the actual original house only has one bedroom. 8 There were two bedrooms at the far end of the 9 house, on the other side of a four-car garage 10 that was open-air. So the two bedrooms weren't 11 even attached to the main house. 12 Also, did you know that there's only 13 approximately seven percent of all the 14 residences in the City of Coral Gables that 15 have been designated as historic? It's really 16 a very small number, which actually makes this 17 property very unique. 18 Now, let's talk about the original plat, 19 please. 20 Marie, if you can actually point to the 21 property. 22 There's the property, right there. What is 23 actually really unique about this piece of 24 property is that it was actually platted as 25 four lots. And believe it or not, those lots</p>
<p style="text-align: right;">Page 10</p> <p>1 So what is a normal site configuration? 2 Well, when we look at the City of Coral Gables, 3 most lots are 50, 75 feet in width. It 4 definitely isn't 460 feet in length and 353 5 feet in depth. The frontage alone is as long 6 as the ends of two city blocks, and the depth 7 is as long as a block and a half. 8 If you'd go ahead and put those up, please. 9 The property also has waters on two sides. 10 It has the Mahi Waterway on one and the Coral 11 Gables Waterway on the other. So I ask that 12 you tell me, what property in the City of Coral 13 Gables is three acres in size, has a length of 14 460 feet, again, the size of the ends of two 15 city blocks, 353 feet in depth, a block and a 16 half, and has water on two sides? 17 But now, what we have to do is add another 18 layer to that, and what we're going to do is -- 19 Actually, in 2007, the City of Coral Gables 20 declared this property as historic. It doesn't 21 declare just the residence; it declares the 22 entire property. But what is important here is 23 that the property was declared historic because 24 of the architect. The original residence on 25 that house was designed by Alfred Browning</p>	<p style="text-align: right;">Page 12</p> <p>1 were 75 feet in width. So, in fact, you could 2 have had four houses put on that piece of 3 property. What also makes it extremely unique 4 is, there's a yacht basin, and let me -- I'm 5 going to read the definition of a yacht basin. 6 I have to pull out my -- I'm getting old. 7 A yacht basin is a facility providing 8 docks, slips, piers, pilings, bollards, 9 anchorage, and moorings for yachts and pleasure 10 boats for the residents of the City of Coral 11 Gables, either by ownership, lease or rent, and 12 such off-street parking and buildings and 13 structures that are required for the operation 14 of such yacht basin. 15 There was planned a commercial use behind 16 this property. It was a yacht basin. Also, 17 what's important, directly behind these four 18 lots was a city park. George Merrick intended 19 this property to have four lots that had 75 20 feet of frontage, and behind it, a city park. 21 If you can go to the next one. 22 This is just a blowup. You can see the 23 yacht basin, here's the park, and the four 24 lots. 25 According to this plat, then in 19-- I</p>

<p style="text-align: right;">Page 13</p> <p>1 believe it was 1946, a gentleman by the name of</p> <p>2 Mr. Cartee actually had this lot and the lot</p> <p>3 next to it replatted as the Cartee 1 and Cartee</p> <p>4 2. Cartee 1, which is the one that's a little</p> <p>5 higher, or Tract 1, is actually a little bit</p> <p>6 smaller than the tract that is before you</p> <p>7 today. But what is really amazing --</p> <p>8 If you can go to the -- No, I don't want</p> <p>9 that one. The one that shows the separation.</p> <p>10 No, where's the one with the separation, that</p> <p>11 shows Cartee 1, divided? Yeah, exactly, right</p> <p>12 here.</p> <p>13 Now, if you look at it, which Cartee 1 is</p> <p>14 now the lower site, it's already been</p> <p>15 subdivided into three separate, individual</p> <p>16 building sites. We have a larger lot. What</p> <p>17 we're asking, we're actually less than what the</p> <p>18 City has already granted to the property next</p> <p>19 to us.</p> <p>20 So what do we have regarding the first</p> <p>21 criteria? We have a three-acre property that</p> <p>22 is 460 feet in length, 353 feet in depth. It</p> <p>23 is as long as the ends of two city blocks. It</p> <p>24 has a depth of at least one and a half city</p> <p>25 blocks, and believe it or not, the three acres</p>	<p style="text-align: right;">Page 15</p> <p>1 properties located in the City of Coral Gables</p> <p>2 that has this size, has this depth, has the</p> <p>3 historic preservation, has all those items, had</p> <p>4 a park behind it, had a yacht basin behind it,</p> <p>5 all those things make it extremely unique and</p> <p>6 exceptional circumstances that only relate to</p> <p>7 this property, and because it only relates to</p> <p>8 this property, we meet that criteria.</p> <p>9 Now, just for Number 2, and I'm going to</p> <p>10 get to it a little bit, but one other criteria</p> <p>11 is, you have to be equal to or larger than the</p> <p>12 properties in the general area. In fact, we</p> <p>13 are larger than 73 percent of the properties in</p> <p>14 the general area.</p> <p>15 Now, what I want to do is now touch on</p> <p>16 Criteria Number 4, because it's important that</p> <p>17 we read it carefully, and what it says is that</p> <p>18 there's no restrictive covenants,</p> <p>19 encroachments, easements or the like exist</p> <p>20 which prevent the separation of the site.</p> <p>21 Now, what is critical here is that there is</p> <p>22 a second sentence to that criteria. It says,</p> <p>23 "The voluntary demolition of a building which</p> <p>24 eliminates any of the conditions identified in</p> <p>25 the criterion shall not constitute or result in</p>
<p style="text-align: right;">Page 14</p> <p>1 is actually bigger than an entire city block of</p> <p>2 the City of Coral Gables. It has water on two</p> <p>3 sides. It's been declared historical. It was</p> <p>4 designed in the '50s for a single man. It was</p> <p>5 originally platted for four separate,</p> <p>6 individual building sites. It has a park along</p> <p>7 the water, and therefore, in fact, because it</p> <p>8 is a park, it did have two separate zoning</p> <p>9 classifications. You had a park and you had a</p> <p>10 single-family residence, which is actually one</p> <p>11 of the criteria that is before you, that it had</p> <p>12 two different -- that it has two different</p> <p>13 zonings. Well, in fact, it had. As a matter</p> <p>14 of fact, if you had a Comprehensive Land Use</p> <p>15 back then, it would have had two separate,</p> <p>16 independent land uses, as well. So we meet</p> <p>17 this criteria.</p> <p>18 And what I'd ask you to do -- and what is</p> <p>19 amazing is that with all that information,</p> <p>20 Staff says we don't meet it. So what I'd like</p> <p>21 to do is say, give me five examples of this</p> <p>22 situation that I've explained to you so far</p> <p>23 that are located in the City of Coral Gables.</p> <p>24 Give me four. Give me three. Give me two.</p> <p>25 Give me one. The fact that there are no other</p>	<p style="text-align: right;">Page 16</p> <p>1 compliance with this criterion." It</p> <p>2 specifically says, "a building." It does not</p> <p>3 say "a sidewalk." It does not say "a</p> <p>4 driveway." It talks about buildings.</p> <p>5 So, therefore -- and actually, what's</p> <p>6 amazing is, that criteria, if you go to the</p> <p>7 2007 report, that second sentence is not in</p> <p>8 that criteria. It stopped at the first</p> <p>9 criteria. So someone came in after 2007 -- and</p> <p>10 I actually looked at an older one, in 1995, I</p> <p>11 believe, Zoning Code, and it did not have that</p> <p>12 second sentence in there, as well -- is that</p> <p>13 what they didn't want you doing is taking a</p> <p>14 residence, a building, and demolishing and</p> <p>15 taking two. What we have here is not a</p> <p>16 building. A sidewalk is not a building.</p> <p>17 As a matter of fact, there's a court case,</p> <p>18 interesting, that I found in Mississippi, where</p> <p>19 it talked about a driveway and whether a</p> <p>20 driveway was a building. It was actually after</p> <p>21 Katrina, and what happened is, the homeowner</p> <p>22 wanted to claim damage to the driveway, and the</p> <p>23 insurance company denied the claim. And so</p> <p>24 what happened is, they sued, and the court</p> <p>25 said, while a driveway is part of the premises,</p>

<p style="text-align: right;">Page 17</p> <p>1 it is not a building. So, clearly, we could go 2 and demolish those minor items, not even 3 buildings, and come into compliance, and in 4 fact, there was a recent building site 5 separation, and some of you all may remember 6 it, at 5805 Riviera Drive, and what it had, it 7 had three lots on the front, along Riviera 8 Drive, and three lots on the back, on San 9 Vicente, and there was a pool that encroached, 10 went longways instead of the width of the 11 property, and in that case, the City, and I 12 can't remember if it was this Board or the City 13 Commission, basically said, "We're going to go 14 ahead and allow you the right to demolish that 15 pool to bring it into compliance, and we will 16 give you one year to do it. If you do not do 17 it within a year, then in fact you're back to 18 being tied as one building site." A pool isn't 19 a structure or a building. So what we have 20 here is a situation of, we're taking minor 21 things that are inconsequential to the 22 property. 23 Let's take a minute and talk about our 24 proposal. What we're proposing is actually two 25 building sites. Lot 1 would consist of the</p>	<p style="text-align: right;">Page 19</p> <p>1 conversation was, "We have to balance historic 2 preservation with the hardship to the owner," 3 and they felt that this was a good compromise, 4 to allow them to remove those things and 5 allow -- let them take that first step towards 6 that building separation. 7 Also, what I have here is -- what I'd like 8 to give to the secretary is actually 25 letters 9 in support of this application, of people in 10 the neighborhood. 11 CHAIRMAN AIZENSTAT: If I can ask, your 12 letters that you have in support, within what 13 radius of the property are they? 14 MR. GUILFORD: What, a thousand feet? 15 CHAIRMAN AIZENSTAT: Thank you. 16 MR. GUILFORD: And, actually, what's 17 interesting is, one of those letters is from a 18 Mr. Hilario Candela. Mr. Candela actually did 19 the additions to this house, and actually, if 20 you don't know who Mr. Candela is, he is the -- 21 I want to say the leading advocate of saving 22 the Miami Marine Stadium, so he is a historic 23 preservationist, and I don't think Mr. Candela 24 would sign a letter in support of a lot 25 separation if he thought that this in any way</p>
<p style="text-align: right;">Page 18</p> <p>1 historic residence and would consist of 1.9 2 acres and have a frontage of 287 feet. Lot 2 3 would have a frontage of 130 feet, which is 4 equal to or larger than 73 percent of the lots 5 in the area. It is also 1.06 acres in size, 6 which in 2007, this lot was going to be 46,000 7 square feet. In 2007, the lot we were 8 proposing was 49; it was bigger than 83. 9 Clearly, this is bigger than 75 -- I didn't do 10 the math, but clearly, it is a considerably 11 large piece of property for this neighborhood. 12 Clearly, by anybody's definition, this building 13 site that's being proposed is compatible with 14 the neighborhood. 15 Now, lastly, Mr. Chairman, this matter went 16 to the Historic Preservation Board a couple 17 months ago, and while the matter of the lot 18 separation was not before the Board, I'm here 19 to tell you, and if you read the transcript or 20 notes, it was clearly discussed by the Board, 21 and actually, that Board actually granted the 22 right to remove those items that were 23 encroaching in order for this property to come 24 forward with a building site separation. And 25 in fact, it was interesting to hear, their</p>	<p style="text-align: right;">Page 20</p> <p>1 hurt or was detrimental to the Alfred Browning 2 Parker house. 3 Now, Mr. Chairman, I believe that we have, 4 without a doubt, proved that there are special 5 and exceptional and unusual circumstances, and 6 that we meet Criteria Number 1, and I also 7 believe that the plain language of Number 4 8 allows the removal of minor items to come into 9 compliance with that section, that criteria, 10 and in fact, there's precedent for that. As 11 such, we meet five of the six criteria, and 12 therefore, you must recommend approval of this 13 application to the City Commission. We are not 14 asking anything more than what the property 15 owner to the north of us has received. In 16 fact, we are asking less. 17 Now, at this time, Mr. Chairman, I have a 18 couple people who would like to speak, 19 Mr. Heisenbottle, who is an architect and also 20 an expert in historic preservation, who's going 21 to go through some of the things I may have 22 missed and also add to it. 23 Also, I'd like to have Mr. Dalmau, the 24 property owner, because sometimes it keeps 25 coming up that this is -- the property is</p>

<p style="text-align: right;">Page 21</p> <p>1 actually owned by a company called Califon, 2 which is an Antilles corporation, but the 3 Dalmaus have lived in the house, and I would 4 like to put a face with this piece of property 5 and let him talk to you about his experience on 6 this piece of property. 7 So, with that, I'm going to have 8 Mr. Heisenbottle come forward. 9 MR. HEISENBOTTLE: Zeke, thank you very 10 much. 11 Board Members, Rich Heisenbottle, with 12 offices at 2199 Ponce de Leon Boulevard, in 13 Coral Gables, and I don't think Zeke left very 14 much out. I think that he was very, very clear 15 that we do meet at least five of the six 16 criteria. But what I want to talk to you a 17 little bit about is a bit of the background 18 here. You know, a friend of mine, Ruth Jacobs, 19 who's sitting in the audience and will probably 20 speak against this in a few minutes, said to 21 me, "But the owner designated this house 22 historic earlier," and that's right, Ruth, he 23 did designate it historic. But that does not 24 freeze this home in time, nor does it freeze 25 the entire parcel in time. Hilario Candela, a</p>	<p style="text-align: right;">Page 23</p> <p>1 that property to someone else, but because of 2 the size of the property, because of the 3 circumstances that are unique to this site, it 4 is very, very difficult to sell the property 5 with the burden that it has. So, by 6 subdividing the property into two parcels, one 7 nearly two acres and the other just a tad over 8 one acre, everyone feels in the real estate 9 industry that the property has a much better 10 chance of being sold and reoccupied. What we 11 don't want in historic buildings, as Julio 12 knows, is an unoccupied building, anywhere in 13 the City of Coral Gables. So this is all 14 further to the preservation of the home, not 15 something that works against the home. 16 I think as you can see from the drawings 17 that are up there that the proposed parcel is 18 very consistent with the rest of the 19 neighborhood and still leaves the historic home 20 sitting on nearly two acres of property. Thank 21 you very much, and I'll gladly answer any 22 questions you might have. 23 In the meantime, Jorge? 24 MR. DALMAU: Hello. I'm Jorge Dalmau, and 25 as was previously stated, my family --</p>
<p style="text-align: right;">Page 22</p> <p>1 good friend of mine and a former employer of 2 mine, added on to this house many years ago, 3 and did a fine job with that addition. And 4 this particular owner, yes, he did voluntarily 5 designate this house, but that doesn't mean 6 that the lot cannot be split. It doesn't mean 7 that future additions and future architects 8 can't come along and make further adjustments 9 to the home. They just have to do it within 10 the criteria set forth in the Secretary of the 11 Interior's standards. 12 They clearly love the house. They still 13 love the house. Jordi raised his entire family 14 in the house, and the family is sitting in the 15 back row over there right now, and they could 16 have lived virtually anywhere they chose. 17 Why, at this point, are they choosing to 18 subdivide the property? Well, it's very 19 simple. The property is one of the largest in 20 Coral Gables. It pays one of the highest tax 21 rates of anywhere in Coral Gables, and as a 22 practical matter, Jordi now lives in Spain and 23 visits only occasionally and does not live in 24 the house when he does visit. So, as a 25 practical matter, they've been trying to sell</p>	<p style="text-align: right;">Page 24</p> <p>1 CHAIRMAN AIZENSTAT: I'm sorry, could you 2 state your address, also, please, for the 3 record? 4 MR. DALMAU: 6801 Granada Boulevard. 5 My parents are the owners of the house, and 6 I grew up in this house. We love this house. 7 My brother and I grew up in this house. We 8 both got married in the house. I mean, we want 9 to preserve the house, preserve the integrity 10 of the property or whatever that we can do. 11 But it's also very -- It has to be understood 12 that for today's financials, the burden of 13 maintaining this property as a single-family 14 home is just beyond our means, and we have been 15 keeping and taking care of this house since 16 1979, when my parents bought the property. We 17 love the house. We want to preserve it as much 18 as possible. We want to preserve the trees, we 19 want to preserve whatever we can, but we can no 20 longer continue to afford the financial burden 21 that this house is on our family. So we 22 need -- The only way that we can move forward 23 and be able to take care of our property is by 24 being able to divide the house into two, and 25 sell the lot or maybe at least have the</p>

<p style="text-align: right;">Page 25</p> <p>1 possibility of building two homes, so if one 2 day my brother wants to build a house and have 3 his home next to my parents' home, that we 4 should be allowed to do that. 5 So we kindly ask the Board to approve the 6 lot split, because it's absolutely necessary 7 for our family to be able to continue to live 8 in Coral Gables, and we will make sure that the 9 best interests of the property will be taken 10 care of at all times. Thank you. 11 CHAIRMAN AIZENSTAT: Thank you. 12 MR. GUILFORD: Now, Mr. Chairman, I know 13 there's some people here who are going to speak 14 for and against this application, so I'm going 15 to actually reserve some time for rebuttal, but 16 I also want to make it -- and Dona Spain is 17 here and she can correct me if I'm wrong -- I 18 believe the City, or Historic Preservation 19 Department, basically said, "We're going to 20 designate this property whether you like it or 21 not. It's a good example of an Alfred Browning 22 Parker house, and it's going to be done, one 23 way or the other." 24 Again, we believe we meet five of the six 25 criteria. I mean, you can't look at that piece</p>	<p style="text-align: right;">Page 27</p> <p>1 MR. TRIAS: Thank you, Mr. Chairman. Staff 2 has prepared a memo that explains the six 3 criteria that need to be reviewed, and 4 certainly, taking a strict view, which we 5 always take, we determined that three criteria 6 were met, and the minimum is four, as you well 7 know. So that is why we recommended denial. 8 If, for whatever reason, there's testimony 9 here that changes your mind and you make a 10 different determination, we did provide some 11 conditions that could be attached to another 12 alternative motion, if you choose to go that 13 way. If you have any specific questions, I'll 14 be happy to address any of the issues. 15 CHAIRMAN AIZENSTAT: You're done with the 16 Staff presentation? 17 MR. TRIAS: Yeah. I would prefer just to 18 simply answer questions, if you don't mind. 19 CHAIRMAN AIZENSTAT: Okay. Let's go ahead 20 and open to it public comment, if everybody is 21 okay with that, or are there pressing questions 22 that anybody would like to ask right away? 23 Could we ask if you could just put down the 24 boards? That way, we can just see everybody. 25 Thank you.</p>
<p style="text-align: right;">Page 26</p> <p>1 of property and say there aren't exceptional 2 circumstances. You can't think of a single 3 property that is like this one. And clearly, 4 by the definition of Number 4, we comply with 5 that one, and again, there's precedents. We 6 would kindly ask that you, again, recommend 7 approval. Staff has provided you an 8 alternative approval, which is acceptable to 9 us. Also, I have to point out that anything 10 that is built on this piece of property will 11 have to go through Historic Preservation. This 12 is very similar to a lot separation that 13 happened at 1800 LeJeune Road, where we 14 provided a proposed site plan but the fact that 15 it had to go through Historic Preservation, and 16 I think it's important to Dona that whatever is 17 built -- and the Historic Preservation Board, 18 that whatever is built on that property is 19 sensitive to the Alfred Browning Parker house. 20 If you have any questions, we'll be more 21 than happy to answer them at this time. Thank 22 you. 23 CHAIRMAN AIZENSTAT: Let's go ahead and 24 hear from the -- Is it okay to go ahead and 25 listen to, first, the Planning Staff?</p>	<p style="text-align: right;">Page 28</p> <p>1 We'll do all of our questions at the end. 2 MS. ALBERRO MENENDEZ: Sure. 3 CHAIRMAN AIZENSTAT: Call the first person. 4 MS. MENENDEZ: Gil Haddad. 5 MR. HADDAD: Good evening, Mr. Chairman and 6 ladies and gentlemen. My name is Gil Haddad. 7 I live at 6800 Granada Boulevard, Coral Gables, 8 which is directly across the street from 6801 9 Granada Boulevard. 10 I'd like to clarify a few housekeeping 11 points first. One is that Architect Jorge 12 Hernandez represented the owner in '07, when 13 this property was declared historic, and at 14 Pages 5 and 6 of that transcript, Mr. Hernandez 15 explicitly stated that it was not the house 16 that was being declared historic, it was the 17 entire property. And Mr. Hernandez testified 18 explicitly about the trees, about the 19 landscaping, about Professor Parker's concept 20 of including the landscaping, the trees and 21 everything similar to that into the property. 22 So, when the Historic Preservation Board 23 acted -- 24 Thanks, Tom. 25 CHAIRMAN AIZENSTAT: Continue, please, I'm</p>

<p style="text-align: right;">Page 29</p> <p>1 sorry.</p> <p>2 MR. HADDAD: That's Mr. Smith. If you've</p> <p>3 never seen a Super Bowl ring, you can take a</p> <p>4 glimpse at one now. He was with the Dolphins</p> <p>5 that did that, and his lovely wife, Elizabeth,</p> <p>6 is there. But when anybody stands here and</p> <p>7 says --</p> <p>8 MR. LEEN: I'm sorry, can I ask a question,</p> <p>9 real fast? I don't mean to interrupt. Are you</p> <p>10 presenting this to the Board?</p> <p>11 MR. HADDAD: Yes.</p> <p>12 MR. LEEN: Okay. So this is being</p> <p>13 presented to you.</p> <p>14 CHAIRMAN AIZENSTAT: That's what I heard.</p> <p>15 MR. LEEN: Do you accept it?</p> <p>16 CHAIRMAN AIZENSTAT: Yes, we do, and the</p> <p>17 secretary went ahead and received a copy.</p> <p>18 MR. LEEN: Have you seen a copy of it, the</p> <p>19 applicant?</p> <p>20 MR. HADDAD: Well, I have -- There's copies</p> <p>21 of everything.</p> <p>22 MR. LEEN: No, the applicant.</p> <p>23 MR. HADDAD: Were there enough copies?</p> <p>24 MR. GUILFORD: No, we haven't.</p> <p>25 MR. LEEN: As a matter of due process, I</p>	<p style="text-align: right;">Page 31</p> <p>1 the criteria, it has nothing to do with size.</p> <p>2 They've been talking about size since 2007.</p> <p>3 Size is not one of the criteria. Size has</p> <p>4 nothing to do with Criteria Number 1, and your</p> <p>5 distinguished Staff has found that to be a</p> <p>6 fact.</p> <p>7 As to Criteria Number 4, it pertains to</p> <p>8 encroachments. The Staff found that the</p> <p>9 driveway was an encroachment, and it also found</p> <p>10 the walkways were encroachments. But later in</p> <p>11 my discussion with you, when I show you</p> <p>12 drawings that are contained in there that were</p> <p>13 done by Mr. Heisenbottle, you're going to see</p> <p>14 that there's a car park that's going to be</p> <p>15 destroyed. You're going to see that there's a</p> <p>16 dock that's going to be missing from the</p> <p>17 original property. So these are additional</p> <p>18 encroachments, even more important than the</p> <p>19 pathways through there, but it's a</p> <p>20 distinguished -- I mean, it's a discretionary</p> <p>21 decision by your Staff to determine that</p> <p>22 Criteria Number 4 was not met.</p> <p>23 Now, of course, it's Mr. Guilford's job to</p> <p>24 take exception to -- I don't want to use the</p> <p>25 word "criticize," because I know Zeke</p>
<p style="text-align: right;">Page 30</p> <p>1 have to provide them a copy.</p> <p>2 MR. HADDAD: Yes. I thought there were</p> <p>3 enough copies. Did we run out of copies? I</p> <p>4 guess we did.</p> <p>5 I meant for you to have one, sorry.</p> <p>6 So, in 2007, the owner, the owner's</p> <p>7 architect, Mr. Jorge Hernandez, and the owner's</p> <p>8 attorney, Mr. Zeke Guilford, came before the</p> <p>9 Historic Preservation Board and specifically</p> <p>10 requested that the entire property be declared</p> <p>11 historic, and Mr. Hernandez gave a presentation</p> <p>12 as to why it should be the entire property, and</p> <p>13 he discussed at length, as did the Staff,</p> <p>14 Professor Parker's visions for this property.</p> <p>15 Now, the thrust of the argument that my</p> <p>16 friend Zeke just gave, and Mr. Heisenbottle</p> <p>17 concurred in, pertained to size. I have to</p> <p>18 believe that your City Staff -- and it was just</p> <p>19 disclosed here when Mr. Riel spoke, that one of</p> <p>20 the Staff members has been there 27 years.</p> <p>21 Other Staff members have been there many years.</p> <p>22 I've got to believe, with the 40 or 50 years of</p> <p>23 expertise, and professional expertise, that</p> <p>24 they have, that they can read the six criteria.</p> <p>25 And when they read Criteria Number 1, or any of</p>	<p style="text-align: right;">Page 32</p> <p>1 personally and he's not criticizing anybody,</p> <p>2 but it's his job to take exception to the</p> <p>3 Staff's findings, because the Staff's result is</p> <p>4 absolutely correct. The Staff took I-75.</p> <p>5 Mr. Guilford wants to take I-95. But everybody</p> <p>6 reaches the same destination. The Staff came</p> <p>7 to the correct conclusion. This should be</p> <p>8 denied, as it was by your predecessors,</p> <p>9 unanimously, in '07.</p> <p>10 Now, unfortunately, there's been so much</p> <p>11 discussion with an effort to denigrate what the</p> <p>12 Historic Preservation Staff refers to as an</p> <p>13 Alfred Browning Parker jewel. Shortly, I'm</p> <p>14 going to take you on an interior tour of the</p> <p>15 house, with the photographs that I provided to</p> <p>16 you, and there's a reason for it, because you</p> <p>17 may be thinking, "What does the interior of the</p> <p>18 house have to do with this question?" It has</p> <p>19 everything to do with the question, because</p> <p>20 when you look at the interior of the house,</p> <p>21 you're going to see that it was designed to</p> <p>22 embrace the full acre of natural hammock that</p> <p>23 exists at this house.</p> <p>24 Now, Mr. Guilford went back to 1920 to talk</p> <p>25 about platting that existed in '20. He went</p>

<p style="text-align: right;">Page 33</p> <p>1 back a decade to talk about ordinances that 2 have since been changed. And all we ask is 3 that you go by the current platting and the 4 current ordinance, because your Staff was 5 eminently correct. 6 Now, if I may be permitted, Mr. Chairman, 7 to inject one moment of humor into this very, 8 very serious question. On September 19th of 9 this year, at Page 73, Line 22 of the 10 transcript, Mr. Guilford said words to the 11 effect, "You can't believe a word Mr. Haddad 12 says, because he's a lawyer." Guilty. And he 13 even says I was a trial lawyer. Well, it's 14 been 25 years since I was in a courtroom, and 15 I've been retired for 10 years, but I accept 16 Mr. Guilford's heartfelt compliments. But I 17 also accept his challenge, that you not believe 18 a word that I say to you. Don't believe a word 19 that I say to you, because my presentation is 20 going to be entirely from the testimony of 21 Mr. Hernandez, from the documents that are in 22 this record, from the letters that are in this 23 record, from the report from the arborist at 24 Fairchild Gardens, and it may be a little bit 25 tedious, it may be a little bit boring, but I'm</p>	<p style="text-align: right;">Page 35</p> <p>1 you off at 10. Thank you. 2 MR. HADDAD: All right. I'm so confident 3 of my hypnotic, persuasive abilities that I'll 4 bet my wife's car that by the time I'm 5 finished, you will conclude that the applicant 6 meets one out of the six criteria. 7 If you would first take the insert out of 8 the spiral-bound notebook, this insert is 9 the -- The insert is in the front of the 10 spiral-bound notebook. There you go. 11 This is a sales brochure produced by an 12 authorized agent of the owner. I have 13 superimposed, along the blank space on the 14 bottom, the text that was on the sales brochure 15 in 2007. And up here in the original printing 16 is the sales information from 2013. It tells 17 you about this property, not in the words of an 18 advocate, but in the words of the owner and his 19 authorized agent. In 2007, this agent said: 20 This is a three-acre waterfront estate -- and I 21 remind you again, nowhere in our regulations is 22 size a criteria for anything. This is a 23 three-acre waterfront estate with direct ocean 24 access. Now, of course, it's not going to have 25 direct ocean access if you cut off the bottom</p>
<p style="text-align: right;">Page 34</p> <p>1 going to stick to Mr. Guilford's guidelines and 2 ask you not to believe a word that I tell you; 3 just let's look at this record. 4 Now, I would like for you to pick up and 5 help me with this, if you would, the spiral 6 bound notebook. 7 CHAIRMAN AIZENSTAT: Mr. Haddad, just a 8 question, if I may. Normally, when we do 9 presentations from the public, we do about a 10 two to three-minute presentation. I understand 11 it's going to take longer, and I'd like to give 12 that you leeway. 13 MR. HADDAD: Thank you. 14 CHAIRMAN AIZENSTAT: Can I ask about how 15 long you think your presentation is going to 16 be? 17 MR. HADDAD: Once we get into these two 18 written presentations, I'm going to fly. 19 CHAIRMAN AIZENSTAT: So you figure maybe 20 about 10 minutes, at the most? 21 MR. HADDAD: Yes, yes. 22 CHAIRMAN AIZENSTAT: Thank you. 23 MR. HADDAD: But don't believe a word I 24 say. 25 CHAIRMAN AIZENSTAT: I'll be sure to cut</p>	<p style="text-align: right;">Page 36</p> <p>1 third of it, which includes the dock. And 2 whether a new dock can be built or not is 3 highly problematic, highly problematic, because 4 of the narrowness of the Mahi Canal, the 5 proximity of the Granada bridge, and the fact 6 that is a yacht basin and is designed for the 7 turning of large boats. This is the largest 8 property on the South Gables Waterway and it 9 boasts 757 feet of waterfront, with a 75-foot 10 dock, which will be gone. It's architecturally 11 unique, 10,000 square feet, renowned architect 12 Alfred Browning Parker. It sits on lush 13 private grounds with mature oaks, surrounded by 14 a coral rock wall. 15 Now, what do we say in Coral Gables about 16 our tradition with coral rock walls? You're 17 going to see that there's a Code provision that 18 expressly calls upon us to preserve those 19 walls, and I'll get to that in just a moment. 20 It features a tennis court, pool, screened 21 porch. It's located and provides an 22 opportunity to create the ultimate lifestyle in 23 your private compound. Price, thirteen five. 24 Now, the 2013 sales brochure says: It's a 25 unique opportunity to own the best, a totally</p>

<p style="text-align: right;">Page 37</p> <p>1 secure private property, three acres of forest. 2 That's an exaggeration. It's about an acre and 3 a half of actual forest, because of the 4 existence of the house. It's a great family 5 compound, so many feet of waterfront, designed 6 by the renowned architect. It's seven 7 bedrooms, seven and a half baths, plus two 8 bedrooms and two baths in the guest house. 9 Well, right away, they want to take down 10 that guest house, which reduces this property 11 and affects its property value, so it goes from 12 9/9 to 7/7. And again, it boasts about direct 13 access to the Bay. 14 Now, attached to this -- Did you get a 15 pencil? I was hoping you all would have a 16 pencil. Well, all you need is a straight edge. 17 CHAIRMAN AIZENSTAT: I think, if we can 18 move on, it would be helpful, only because the 19 time for a sales brochure and so forth, I'd 20 like to stick, if I can, just to the facts 21 pertaining to the lot split. 22 MR. HADDAD: All right. 23 CHAIRMAN AIZENSTAT: That would be very 24 helpful. 25 MR. HADDAD: What I was about to point out</p>	<p style="text-align: right;">Page 39</p> <p>1 thing for you to consider here is, have there 2 been any changes since 2007 in the proposed new 3 lot? No. 4 Now, Mr. Heisenbottle says, just because 5 the entire property is declared historic does 6 not mean that it's frozen in time and space. I 7 agree. But if there's absolutely no changes in 8 it except a change in architects from 9 Mr. Hernandez to Mr. Heisenbottle and a change 10 in paperwork, what's on the ground, the facts 11 on the ground, are that there's absolutely no 12 change. And what this diagram tells you is 13 that 50 feet or so from the primary southern 14 elevation of the Parker house, you're going to 15 have a two-story concrete wall, being the 16 elevation of a new McMansion. 17 Now, I don't want to lose any votes by 18 going to a sports metaphor, but a basketball 19 court is 50 feet wide, and a pitcher throws the 20 ball 60 feet, nine inches, and once a team gets 21 on the 20-yard line, they're considered in the 22 red zone. And this house is going to be that 23 close to another house with a two-story house 24 overlooking this magnificent swimming pool that 25 you see on this sales brochure.</p>
<p style="text-align: right;">Page 38</p> <p>1 is that if you put a straight edge from the 2 corner of the pool pavilion to the point on 3 Granada -- 4 CHAIRMAN AIZENSTAT: Yes, sir. 5 MR. HADDAD: -- this is what you have in 6 your hands. You literally have this in your 7 hands. This will all be gone. All of that 8 will be gone, everything from the corner of 9 that pool pavilion south, to the next house 10 down. And here are some sketches by 11 Mr. Heisenbottle. If you'll look at the first 12 one, you can see that not only is the driveway 13 an encroachment, but there's a secondary 14 parking area there that's an encroachment, and 15 you will see that the line dictated by Historic 16 Preservation, which goes around the swimming 17 pool, which they wanted to take out, cuts into 18 the dock. So the dock is mostly in the 19 proposed new lot, but there's a piece of it 20 that sticks over into the old lot, which is 21 going to be extremely confusing to anybody 22 involved in this. 23 Now, if you'll look at the next piece of 24 paper attached to that brochure, you'll see -- 25 and this gets to the heart of this. The key</p>	<p style="text-align: right;">Page 40</p> <p>1 Now, the Chairman has instructed me to get 2 on to the question of lot separation. If we'll 3 go now to the three-ring binder -- Well, let me 4 walk you through this spiral binder first, 5 because this is absolutely critical. You've 6 admired the interior of this house, which for 7 some reason they keep saying it's a one-bedroom 8 house and all that. It doesn't matter what 9 they say about the past, because this house was 10 declared historic at their request, and in '07, 11 when Historic Preservation -- in '07, Historic 12 Preservation was asked for a recommendation, 13 they recommended no. When Planning and Zoning 14 was asked for a recommendation, they 15 unanimously voted no. Now, there were other 16 different issues. I'm not saying the issues 17 were identical. But the key here is that the 18 property south of the Parker house is 19 identical. There have been absolutely no 20 changes in that whatsoever, except they've 21 added 10 feet to that proposed lot, which does 22 nothing more than encroach more on the Parker 23 house than they did in '07. 24 So, if we look at this house -- The reason 25 I put these pictures here for you, you might</p>

<p style="text-align: right;">Page 41</p> <p>1 wonder, what's the interior got to do with 2 this? You will see every aperture in this 3 house has a hinge. Every aperture has a latch. 4 Every one has a doorknob. And you'll see 5 pictures in here of the southern exposure of 6 the Parker house looking directly out onto the 7 natural forest. 8 Now, Mr. Guilford did what a good lawyer 9 would do; he tried to persuade you to go 10 against your Staff on Criteria 1 and 4. Well, 11 four is very, very clear. The part about not 12 taking down a voluntary building has been put 13 in there repeatedly by our City Commission, all 14 through the years, because the ordinance 15 regarding single-family residences was first 16 amended in '73, '77, '83, '86, and January of 17 '07. And every time the City Council amended 18 that ordinance, they made it stronger, with the 19 intention of preserving density in our City and 20 preserving single-family residences. 21 Now, let me speak to you, only because 22 counsel is attempting to persuade you to go 23 against your Staff on Criteria 1 and 4. Let me 24 speak to you about Criteria 2, which has 25 nothing to do with size, but has to do with</p>	<p style="text-align: right;">Page 43</p> <p>1 of the side streets. When this criteria says, 2 in the disjunctive, or extending no further 3 than -- I'm sorry, I used the wrong word -- no 4 farther than the immediate vicinity, whichever 5 is less, and it defines immediate vicinity, and 6 immediate vicinity's definition is also broken 7 in half -- or a half a mile radius, whichever 8 is less. So it is the functionally and 9 geographically distinct, identifiable realm, 10 place or neighborhood, or a thousand feet, 11 whichever is less, or a half a mile, whichever 12 is less, which gets you back to apples and 13 apples. That's what we're talking about here. 14 We're talking about apples and apples, and 15 there isn't a property from Hardee Road to 16 Sunset that's this narrow. There's not. 17 That's why, when you use the thousand-foot 18 measure, it's a standard that really doesn't 19 apply under the codification Number 2. 20 Now, let's go to Number 5. 21 CHAIRMAN AIZENSTAT: I'm going to ask you, 22 if you may, just to wrap it up. 23 MR. HADDAD: This is the last thing I'm 24 going to say. 25 CHAIRMAN AIZENSTAT: Thank you. I</p>
<p style="text-align: right;">Page 42</p> <p>1 frontage. In your spiral-bound -- in your 2 three-ring binder, if you would kindly turn to 3 that, we have the reference to Criteria 2, in 4 the back of the binder, Criteria 2. In the 5 very, very back, in the pocket in the back of 6 the binder. It doesn't pertain to size at all. 7 It pertains to frontages, and it says we're 8 interested in frontages in a thousand-foot 9 radius or -- in the disjunctive, not the 10 conjunctive -- or extending no farther than the 11 immediate vicinity, whichever is less. 12 And then your City Commission went to the 13 trouble of giving you a definition of the word, 14 immediate vicinity. It shall be defined as an 15 area in which a parcel of land is located that 16 is functionally -- here I say waterfront -- and 17 geographically -- on the canal, on the corner 18 of the canal -- and identifiable as a distinct 19 realm, place or neighborhood. 20 Now, Granada is a Boulevard. Riviera is a 21 Drive. By going a thousand feet, you pick all 22 the streets around there, and I'm not 23 denigrating my own house, you know, or my 24 street or my neighbors' places, but when you 25 use the thousand-foot measure, you pick up all</p>	<p style="text-align: right;">Page 44</p> <p>1 appreciate it. 2 MR. HADDAD: Scout's honor. 3 This says that the proposed building site 4 maintains and preserves open space. Well, 5 you've got to be kidding me. All you have to 6 do is look at Richard's drawings and see the 7 size. Anybody that's going to buy an expensive 8 piece of property like this is going to 9 maximize the land coverage and the size of the 10 building. So, it maintains and preserves open 11 space? 12 Now, these criteria are in the conjunctive, 13 which means every one of them applies, in 14 contrast to Number 2, which is in the 15 disjunctive. And then it goes on to say, 16 preserves historic character. I mean, believe 17 me, if Professor Parker were sitting in this 18 master bedroom with the windows open, as you 19 see in that picture, looking to the south, and 20 looking against the concrete wall of a new 21 building, I don't think Professor Parker, with 22 whom Staff spoke and with whom I've spoken, 23 would say that his vision has been preserved 24 and it maintains property values. Wow. All we 25 have to do is look to see what the owner has</p>

<p style="text-align: right;">Page 45</p> <p>1 said about property values. Access to the sea, 2 that's what it says. Your own private 3 compound, nine bedrooms, nine baths. 4 And how about the lady next door? When she 5 puts on her robe and goes out in the morning to 6 get her paper, to her immediate right is an 7 acre and a half of natural hammock, and in your 8 file there you've got a report from the 9 arborist at Fairchild Gardens, Mr. Bob Brennan, 10 who is the president of the American Guild of 11 Arborists. He knows this property since he was 12 a kid. He says this is one of the most unique 13 and rare natural hammocks anywhere in South 14 Florida. That's what he has to say about it. 15 Maintains property values? I mean, this lady, 16 instead of having the quiet and a forest right 17 next to her right hand, she's going to have a 18 two-story building, with the cars, the trash, 19 the kids -- 20 CHAIRMAN AIZENSTAT: But that really 21 doesn't fall within the lot separation that 22 we're dealing with right now, as far as the 23 height of it, but if you can just wrap it up. 24 MR. HADDAD: Well, that's Item D under 25 Category 5.</p>	<p style="text-align: right;">Page 47</p> <p>1 and restoring the South Florida ecosystem. I 2 will definitely be shorter and probably less 3 eloquent than Mr. Haddad, but I'm here today to 4 ask that you deny this application that's 5 contrary to, first, Coral Gables Code; two, the 6 interests of the neighborhood; and to 7 protecting what's special about Coral Gables. 8 When the City Commission passed the 9 relevant portions of the Code in 1977, they 10 clearly intended to make the threshold for such 11 a proposal very high. I was planning today to 12 talk about a number of the criteria that I also 13 believe that the applicant does not match. I 14 think Mr. Haddad spoke to many of those 15 criteria. We would agree that this application 16 does not fulfill four of the six criteria. 17 I would like to touch on a couple things 18 that the applicant's attorney spoke to. On 19 Criteria 1, Mr. Haddad spoke to the size issue. 20 I think if the drafters of the Code had 21 intended something as specific as that to be in 22 the criteria, then they would have written 23 something like that, and there's nothing like 24 that. The attorney also raised the issue of -- 25 that this is a historic property, and because</p>
<p style="text-align: right;">Page 46</p> <p>1 CHAIRMAN AIZENSTAT: Yes. 2 MR. HADDAD: All right. 3 CHAIRMAN AIZENSTAT: Thank you. 4 MR. HADDAD: So, obviously there's no open 5 space, obviously property values are impacted, 6 and obviously it doesn't protect the historic 7 character. So I suggest to you that what 8 they've got here is one out of six, and the 9 Staff was generous to give them three out of 10 six, and the standard is four out of six. 11 I apologize for taking more than my 12 allotted time, and thank you for your 13 generosity, sir. 14 CHAIRMAN AIZENSTAT: Thank you for all your 15 time and effort. Thank you. 16 MS. MENENDEZ: Sara Fain. 17 CHAIRMAN AIZENSTAT: What I am going to ask 18 is just if everybody speaking, if they'd just 19 keep it to a two to three-minute interval. 20 Thank you. 21 MS. FAIN: Good evening, Mr. Chair, 22 Members of the Board. My name is Sara Fain. 23 I'm here as the executive director of the 24 Everglades Law Center, and ELC is dedicated to 25 representing the public interest in protecting</p>	<p style="text-align: right;">Page 48</p> <p>1 only seven percent of Coral Gables properties 2 are designated as historic, that therefore 3 makes it unusual. I'm not quite sure I 4 understand that logic. Because it's been 5 designated historic, we then should use that as 6 a circumstance or -- a circumstance that would 7 merit lot splitting? I'm not sure I understand 8 that logic. He also talked about how this used 9 to be four lots. Well, when the architects 10 designed this, in the 1950s, it was one lot. 11 When the Code was included to -- included this 12 criteria, in 1977, it was also one lot. So we 13 should look at it as one lot. 14 On Criteria Number 5, we would also agree 15 with Mr. Haddad, but we are particularly 16 concerned where it does talk about that it must 17 maintain and preserve open space and preserve 18 historic character. The application clearly 19 fails. The proposed site plan may protect much 20 of the existing building, but the historic 21 designation is not on the building; it's on the 22 property, and this application will not protect 23 the property. Indeed, it will require the 24 removal of dozens of mature hardwood trees that 25 provide valuable habitat to our local wildlife.</p>

<p style="text-align: right;">Page 49</p> <p>1 Mr. Haddad has in front of you a letter that 2 was on the record from the arborist from 3 Fairchild Tropical Garden, who stated that this 4 site is an ecological, arboricultural and 5 historical gem, with an incredible display of 6 nature. It would be devastating to this 7 community to see those lost. 8 Coral Gables founders refer to Coral Gables 9 as The Garden City, and while this application 10 and its proposed site plan conveniently does 11 not locate the trees on that site plan, it's 12 obvious that many trees would have to be 13 destroyed by placing so much impermeable 14 surface on the property. And I believe that 15 this is contrary to the goals of our City's 16 founders. 17 Lastly, while I sympathize with the 18 applicant's family concerns, there is nothing 19 in the Code that provides exceptions for 20 economic hardship. The applicant stated that 21 the family has lived there and enjoyed this 22 property for 30 years. They purchased this 23 property in 1980, or perhaps it was 1979, for 24 \$700,000. The purchase, even at the time, 25 appeared to be a business transaction, not --</p>	<p style="text-align: right;">Page 51</p> <p>1 clear, the value of one's land and building is 2 what it can be used for, not the highest and 3 best use of the land. If it were, we would all 4 be building high-rises. And even if this 5 application is denied, the applicant still has 6 beneficial use of its property, and surely an 7 economic beneficial use. 8 One last thing on the taxes, sorry, I 9 forgot this, that I did see in the tax rolls 10 that in 2007, their taxes were 117,000. After 11 their application to have it designated as 12 historic, and that designation was granted, 13 their taxes were reduced to 75,000 in 2012. 14 So we call on this Board to abide by the 15 Code, listen to the neighborhood, and deny this 16 application. Thank you for your time. 17 CHAIRMAN AIZENSTAT: Thank you. 18 MS. MENENDEZ: Mitch Alvarez. 19 MR. ALVAREZ: For the record, my name is 20 Aramis Alvarez, known as Mitch. I've been a 21 resident of the City ever since -- 22 CHAIRMAN AIZENSTAT: Could you state your 23 address, please? 24 MR. ALVAREZ: -- 1972, when I moved from 25 San Juan.</p>
<p style="text-align: right;">Page 50</p> <p>1 or business decision, not bought in the name of 2 the person who was living there, but rather in 3 a corporation, and if they were concerned about 4 taxes, if they listed it in their name, if they 5 were living there, they would have a homestead 6 exemption, and they don't have that, because 7 they chose to make this a business decision. 8 Today they're seeking to sell this for 12.5 9 million, and they've claimed that they can't 10 sell it. Perhaps they can't sell it at 12.5 11 million, but that doesn't mean that they can't 12 sell it, and I think it's implausible to 13 believe that they would sell it anywhere near 14 what they bought it for. They would be selling 15 it for much higher than that. The land is 16 clearly worth a whole lot more than when they 17 moved in, and they have had the benefit of 18 living on this property. 19 All homeowners in Coral Gables, property 20 owners, are expected to pay property taxes, and 21 any homeowner would expect to have to maintain 22 the property, and if you're purchasing a 23 property of three acres, you would probably 24 expect those maintenance costs to be higher 25 than on a smaller size property, and the law is</p>	<p style="text-align: right;">Page 52</p> <p>1 CHAIRMAN AIZENSTAT: If you could state 2 your address, also, please. 3 MR. ALVAREZ: The address is 1207 South 4 Alhambra Circle. That's on the waterway. As a 5 property owner, as a boater, I drive by the 6 property frequently. It's a unique property. 7 I had the opportunity to work on it as an 8 architect. At the time I was at Spillis 9 Candela & Partners, this project was assigned 10 to my effort, and our efforts to develop and 11 maintain the positive -- you know, the 12 possibility of preserving existing trees and 13 vegetation to the most enhancement. I have 14 seen the application, the lot proposal. I 15 think the lot resulting from this subdivision 16 could indeed be developed in a manner that 17 would not be adverse or impacting the home. 18 In the present drawing that I have seen, 19 the area of the cul-de-sac and accessibility 20 stays on the side of the lot, meaning the open 21 spaces that exist on the house and the 22 relationship of the building to the adjacent 23 land will still maintain considerable 24 separation and distance, so I believe that the 25 possibility of subdividing is feasible without</p>

<p style="text-align: right;">Page 53</p> <p>1 in any manner adversely impacting the aesthetic 2 or the character of the existing home. I have 3 heard the arguments presented by the family who 4 owns the property. I believe the case of the 5 higher taxes and the hardship imposed on them 6 should be, you know, a significant 7 consideration on the case, and a concern is 8 that if this property remains as large as it 9 is, the maintenance of the existing vegetation 10 is going to become harder for whoever buys the 11 property because of the maintenance and cost 12 and elements of preserving the nature as it is. 13 I have, obviously, a favorable opinion of 14 the proposal as a resident, as a boater, as a 15 neighbor of the waterway, and for the record, 16 I'd like to just present the case. 17 CHAIRMAN AIZENSTAT: Thank you. 18 MR. ALVAREZ: Thank you. 19 MS. MENENDEZ: Laura Reynolds. 20 MS. REYNOLDS: Thank you. Just for the 21 record, I'm Laura Reynolds, at 5530 Sunset 22 Drive, and I'm the executive director of the 23 Tropical Audubon Society. So I'm here today to 24 speak about the trees, the 93 hardwoods that 25 are being proposed to disappear as a result of</p>	<p style="text-align: right;">Page 55</p> <p>1 they go through, and so we see this as a really 2 important aspect of your decision today. 3 What I would recommend, because I could 4 imagine owning a three-acre parcel and 5 maintaining it as historic is difficult -- in 6 fact, our offices are designated historic, and 7 also we have three acres of trees to maintain, 8 so I can understand what that's like, and being 9 the executive director, it's about a \$50,000 10 proposition, just to maintain the property. 11 And so I propose to you that the applicant 12 should consider pursuing a conservation 13 easement, and I would volunteer the Tropical 14 Audubon Society to do a wildlife survey, to get 15 that designation or to help do that. 16 I also think that the decision before you, 17 you don't have enough information. I think, as 18 Robert Brennan said, you need another tree 19 survey. The one that was done is not up to 20 par. So more information before you make this 21 decision, I think, would be to your benefit. I 22 also think the owner should consider 23 potentially applying for a conservation 24 easement, because that does exist. 25 In addition, we pointed out in our letter</p>
<p style="text-align: right;">Page 54</p> <p>1 this lot split application that's before you. 2 Just so you know a little bit about us, our 3 mission is to preserve and protect habitat for 4 the benefit of wildlife. I added that in there 5 for you, in our letter, and one of the things 6 that we've focused in on is that we're at about 7 14 percent tree canopy in Dade County, and we 8 should be at 34. That's the national average. 9 And so we are working all the time to preserve 10 trees when we can, and we feel like this 11 particular area has been designated historic 12 not just for the house, but also because of the 13 trees, and so I want you to consider the whole 14 parcel as the historic designation when you're 15 considering this lot split and what would be 16 lost as a result of doing that. 17 The other thing I'll point out is, we are a 18 peninsula, and many bird species come through 19 here in the spring and the fall, and so in 20 other words, our little area, our strip of 21 trees that we have preserved here in Coral 22 Gables, which I applaud you for having the 23 strongest tree ordinance in Dade County -- 24 thank you for maintaining that -- it's really 25 important that they have a place to rest as</p>	<p style="text-align: right;">Page 56</p> <p>1 that Section 5 of the Code is one of the 2 biggest ones of our concern, because of the 3 open space aspect. Also, we have data going 4 back about 60 years on this property and what 5 bird species are there. I can provide that to 6 you, if need be. I listed some of the species 7 there in the letter, and would like to tell you 8 that we're concerned that they're -- you know, 9 looking at the tree survey and the site plan, 10 they're pushing for maximum removal of the 11 trees, 93 hardwoods. It seems like the square 12 footage that they're proposing for the 13 development is the highest it could be. The 14 question I have is, where would you replant the 15 trees? There's no place to do that, and so by 16 splitting this lot, you are, in fact, making 17 the decision to remove all of those trees, and 18 I can't imagine where you would put them. So 19 please keep that in mind. I'm available for 20 any further discussion about that. Thank you. 21 CHAIRMAN AIZENSTAT: Thank you. 22 MS. MENENDEZ: Marlin Ebbert? 23 MS. EBBERT: Good evening. My name is 24 Marlin Ebbert. I live at 6935 Almansa Street. 25 I'm a neighbor, and I'm here strictly to talk</p>

<p style="text-align: right;">Page 57</p> <p>1 about that I'm worried about my neighborhood. 2 Yesterday the Commission approved a lot split 3 that is just really three and a half blocks 4 from this proposed split on Granada, at 6009 5 Maggiore, and when my family moved here 25 6 years ago, with three school-age children, we 7 were told to buy in Pinecrest, that area, for 8 the schools. And I just kept coming back to 9 Coral Gables, because I thought it was so 10 unique, and I think that lot splitting is 11 something that the Gables didn't do, and I 12 think you are just -- If another one just 13 follows so quickly upon yesterday, I think 14 you're just opening the door for many more 15 people. Everybody would like to split their 16 lots. You know, everybody would like to 17 have -- make that kind of money. I think 18 you're just on a slippery slope. 19 Thank you. 20 CHAIRMAN AIZENSTAT: Thank you. 21 MS. MENENDEZ: Ruth Jacobs? 22 MS. JACOBS: Actually, I'll be very brief. 23 It's very nice to see you all working, because 24 your role is so important to this City -- 25 CHAIRMAN AIZENSTAT: If you could state</p>	<p style="text-align: right;">Page 59</p> <p>1 nominated for its livability and for the kind 2 of preservation that we have, which is for the 3 resident, and it makes everything we do in this 4 City more pleasurable, because of our 5 surroundings. 6 So anything we can do to help people 7 maintain those special, unique surroundings, 8 let's do it. Thank you all. 9 CHAIRMAN AIZENSTAT: Thank you. 10 MS. MENENDEZ: We have no more speakers. 11 CHAIRMAN AIZENSTAT: No more speakers? 12 MR. GUILFORD: Mr. Chairman, Members of the 13 Board, I'll make it brief, and I just want to 14 start by saying, I think Mr. Haddad 15 misunderstood me at the Historic Preservation 16 meeting. He is actually one of the great 17 lawyers in the State of Florida, and also quite 18 a gentleman, but to kind of follow up on 19 Mr. Haddad a little bit, as a colleague, fellow 20 lawyer, actually, in zoning cases, lawyers are 21 not -- their testimony is not considered 22 substantial or competent, so I guess we have 23 one thing -- so neither one of us knows what 24 the heck we're talking about. 25 Now, let me just talk a minute. Mr. Haddad</p>
<p style="text-align: right;">Page 58</p> <p>1 your address, please. 2 MS. JACOBS: -- because we have a unique 3 City, and you help make it so, and everything I 4 have heard here tonight adds to that, 5 because -- 6 CHAIRMAN AIZENSTAT: Could you state your 7 address? I'm sorry. 8 MS. JACOBS: Oh, my name? 9 CHAIRMAN AIZENSTAT: Your address, also. 10 Your address. 11 MS. JACOBS: Oh, 1010 -- I'm sorry. 12 CHAIRMAN AIZENSTAT: That's okay. 13 MS. JACOBS: 1010 South Alhambra Circle. 14 CHAIRMAN AIZENSTAT: Thank you. 15 MS. JACOBS: So you can see, I'm very close 16 to this wonderful property, and I'm actually 17 here to congratulate the owners for owning a 18 unique piece of property, and everything I've 19 heard here tonight gives us more reason to help 20 them keep it that way, a conservation easement, 21 whatever it takes, because that is a unique 22 piece of property, and I'm a little surprised 23 to hear someone arguing to say, "We don't want 24 to be unique." No, no. That's why Coral 25 Gables is the City it is. That's why it's been</p>	<p style="text-align: right;">Page 60</p> <p>1 talked about Mr. Hernandez, and he talked about 2 the entire property and how the entire property 3 is historic. He's absolutely right. The City 4 of Coral Gables doesn't designate just a house. 5 It doesn't designate just a portion of the 6 property. By its Code or by its rules, it 7 designates the entire property. And what 8 Mr. Haddad didn't tell you is, what 9 Mr. Hernandez planned for this property 10 originally was actually three building sites, 11 so we'd probably be taking more down than what 12 is actually being proposed. 13 He also talks about a carport which got 14 turned into a two-bedroom addition that 15 encroaches. It does not encroach. An 16 encroachment is something that would go from 17 one building site to the other. Actually, the 18 Historic Preservation Board looked at it and it 19 has actually given approval for the demolition 20 of that -- I call it a guest house, a prior -- 21 formerly a carport. 22 I'd also like to go back to the driveway 23 for one second, because I missed on something, 24 is that actually, our Zoning Code, under 25 Article 5, actually allows two properties to</p>

<p style="text-align: right;">Page 61</p> <p>1 have the same driveway. So, in fact, if we 2 needed to, we could make this actually a 3 community driveway, and then branch off it, 4 which is actually permitted under our Zoning 5 Code. 6 Mr. Haddad said this is the same 7 application that was heard in 2007. It's not. 8 It's a totally different application. What was 9 proposed in 2007 was a flag lot. There are no 10 flag lots here. There are no subdivision 11 variances being proposed. This is a totally 12 different application than what was there in 13 2007. 14 Ms. Reynolds talked about the trees. I'm 15 not sure how many trees. I guess she counted 16 up the hardwoods. You know, it's also -- The 17 gentleman, Mr. Brennan, who they say is a 18 Fairchild arborist, he is not acting on behalf 19 of Fairchild. He's acting on his individual 20 capacity. If you read Mr. Brennan's letter, he 21 admits he has never been on this property. 22 Also, there's no information whether this is, 23 quote, natural, that has always been there, or 24 in fact my client planted those trees. So, 25 frankly, we don't know what this is.</p>	<p style="text-align: right;">Page 63</p> <p>1 have. 2 CHAIRMAN AIZENSTAT: Thank you. 3 Before we ask questions, I'd like to ask 4 Dona Spain from Historic Preservation to come 5 up a second. 6 Hi. How are you? 7 MS. SPAIN: For the record, Dona Spain, 8 Historic Preservation Officer. I just briefly 9 wanted to enter into the record a memo that I 10 sent the Planning Department on October 11th, 11 that has a transcript from the Historic 12 Preservation Board -- 13 CHAIRMAN AIZENSTAT: Okay. 14 MS. SPAIN: -- meeting, and also letters of 15 support and letters against this application. 16 That wasn't in your packet. 17 CHAIRMAN AIZENSTAT: Is there a reason why 18 it wasn't in the packet? 19 MS. SPAIN: I don't know. 20 MR. TRIAS: No, no, certainly she can 21 provide that right now. 22 CHAIRMAN AIZENSTAT: Oh, okay. Did you 23 receive the transcripts? 24 MR. TRIAS: Wally, did you get -- 25 MR. CARLSON: I can't recall.</p>
<p style="text-align: right;">Page 62</p> <p>1 Also, Ms. Ebbert said that this is just 2 another one following another lot separation. 3 Well, this Board clearly knows and the City 4 Attorney can tell you that every application 5 stands on its own merits. This application is 6 different than the one on Maggiore, and the 7 next one will be different than this one. 8 So what I'd ask this Board to do is go back 9 and take a look and listen to the information 10 and testimony that was given to you today. 11 Clearly, I believe we meet Criteria 1, because 12 if you read it carefully, it doesn't limit it 13 to those things. Even though we believe we 14 meet two of those, you have a right to look at 15 all the situations affecting this property. In 16 addition, we also believe we meet Criteria 4, 17 and that Criteria 4 says -- talks about 18 buildings, voluntary demolition of buildings. 19 This is not a building, and we have a 20 precedent. 21 Because of those two things, Mr. Chairman 22 and Members of the Board, we again ask that you 23 recommend approval of this application, and 24 myself and Mr. Dalmau and Mr. Heisenbottle will 25 be more than happy to answer any questions you</p>	<p style="text-align: right;">Page 64</p> <p>1 CHAIRMAN AIZENSTAT: Okay. 2 MS. SPAIN: It needs to be at least to the 3 City Commission -- 4 CHAIRMAN AIZENSTAT: Can you give us an 5 overall of what is in those transcripts? 6 MS. SPAIN: Well, actually, they talked at 7 length about the demolition specifically of the 8 trees and also of the cabana and the pool. The 9 Staff report, I think you do have. I was 10 recommending that if the lot separation went 11 forward, that nothing happens to it until the 12 Commission approves it. I actually was 13 allowing, in the Staff report, for the pool to 14 be demolished, to accommodate the lot 15 separation, and the loggia around the pool. 16 The Board wanted that saved, so I think that's 17 why, in your application, it jogs. That's 18 because of the Historic Preservation Board. 19 CHAIRMAN AIZENSTAT: Okay. 20 MS. SPAIN: But I do believe that a lot 21 separation can occur, and it would not affect 22 the historic significance of the property. We 23 do designate the entire property. I don't 24 believe that the outline of the building that's 25 on the other lot is appropriate for that lot,</p>

<p style="text-align: right;">Page 65</p> <p>1 but that would be -- you know, they draw that 2 because that's what's allowed by zoning. They 3 max out the property. But that, I don't 4 believe would be the building that would be 5 built on that, and it would have to be reviewed 6 by the Historic Preservation Board. 7 CHAIRMAN AIZENSTAT: Okay. Thank you. 8 MS. SPAIN: So, I don't have anything else. 9 I'd be happy to answer questions. 10 CHAIRMAN AIZENSTAT: Do you have questions? 11 MR. FLANAGAN: Yeah. I think this is an 12 important component of this application. It's 13 unfortunate that we don't have that transcript. 14 That would have been nice to review and I think 15 definitely help better comprehend. 16 There's a lot of talk about preserving the 17 trees and the natural habitat, and the possible 18 removal of the trees, I'm sure if you max out 19 your development envelope, you'll probably take 20 out 90 percent of the trees. But if this gets 21 approved and one of the recommendations or the 22 conditions is that a certificate of 23 appropriateness be issued, how do you analyze 24 or then review, or the Board review, the 25 existing trees and what gets removed, what has</p>	<p style="text-align: right;">Page 67</p> <p>1 home. It's one of the reasons that I was 2 comfortable recommending in favor of the cabana 3 coming down, because if you don't take that 4 building down, you need to take more trees to 5 accommodate a driveway, and between the cabana 6 and the trees, I thought the trees were more 7 important. 8 MR. FLANAGAN: Okay, well, because the demo 9 plan we have shows one, two, three, four, five, 10 six -- at least half a dozen trees coming down 11 to accommodate the new driveway. 12 MS. SPAIN: But are you talking about the 13 new driveway on the new lot? 14 MR. FLANAGAN: No, sorry, the new driveway 15 on the existing lot. 16 MS. SPAIN: Can you address that, Rich? 17 MR. HEISENBOTTLE: If I may -- Marie, would 18 you put up the general plan, which I think is 19 in the back over there? There's some 20 misunderstanding -- 21 MR. HADDAD: Do we get an opportunity? 22 CHAIRMAN AIZENSTAT: We've gone ahead and 23 closed the meeting to the public at this point. 24 MR. HEISENBOTTLE: Mr. Chairman, if it is 25 okay with the Board, I will answer some</p>
<p style="text-align: right;">Page 66</p> <p>1 to be replaced or replanted -- I think maybe it 2 was Ms. Reynolds who was talking about, if you 3 maxed out or tried to max out, there's no room 4 to replant. 5 MS. SPAIN: Uh-huh. 6 MR. FLANAGAN: How does your department and 7 the Board then look at that? Because to me, 8 becomes an important component. 9 MS. SPAIN: Yeah. No, I absolutely agree 10 with you, because that property is unique, when 11 it comes to the landscaping on it. I walked 12 the property with Troy Springmyer, who's the 13 Public Service Director, and we would do the 14 same on any application that would come in. We 15 work very closely with them. Any tree that 16 comes down in Coral Gables that's on a historic 17 property, we sign off on, whether it's alive or 18 dead. So we would have to look at that. And I 19 think it's very important. 20 I did walk the property that the historic 21 building is on, with the homeowner and with 22 Troy, and in order to accommodate the new 23 driveway, they will not have to knock down any 24 tree. They won't have to take out any of the 25 trees for the driveway to the existing historic</p>	<p style="text-align: right;">Page 68</p> <p>1 questions -- 2 CHAIRMAN AIZENSTAT: No, no -- 3 MR. HEISENBOTTLE: -- relative to trees -- 4 CHAIRMAN AIZENSTAT: Yes. 5 MR. HEISENBOTTLE: -- because I think 6 there's some misunderstanding. As Ms. Spain 7 was indicating, we deliberately -- 8 And Marie, would you put the other board up 9 that shows where the proposed driveway is? 10 It's the one -- It's right behind this one. 11 The trees that you're looking at that are 12 in red there, there's not one of those that is 13 a specimen tree. They are palm trees, called 14 for on the drawings to be relocated. The size 15 that you're seeing as to the construction of 16 the new home is not a proposed new home at all. 17 We're not here proposing a new home. We're -- 18 This is not a development order that we're 19 seeking here today. That just happens to be 20 what is allowed by your zoning law. It happens 21 to be 7,845 square feet, and I think all of us 22 in this room would say that's probably 23 excessive, but that's merely there to 24 illustrate for you what the maximum would be 25 under your zoning law. More than likely, the</p>

<p style="text-align: right;">Page 69</p> <p>1 home will be something less than half of that.</p> <p>2 But as far as the driveways are concerned,</p> <p>3 you'll see that we've re-used the location of</p> <p>4 the existing driveway as it would minimize any</p> <p>5 impact on getting to the motor court or garage</p> <p>6 of the new home, and at the same time, when we</p> <p>7 constructed the new driveway, we were very</p> <p>8 careful to put it in a location that did not</p> <p>9 impact any of the specimen trees. And I can</p> <p>10 point at that, if it helps. Thank you.</p> <p>11 CHAIRMAN AIZENSTAT: Mr. Guilford, is there</p> <p>12 a reason that you're very specific not to tie</p> <p>13 this to a specific site plan, the lot</p> <p>14 splitting?</p> <p>15 MR. GUILFORD: Because, again, it's -- The</p> <p>16 client is not a developer, so what he will</p> <p>17 either -- As he said up here, either his</p> <p>18 brother will potentially build a house, or they</p> <p>19 will sell it, and as we've done before with</p> <p>20 other historic properties, as I mentioned, 1800</p> <p>21 LeJeune Road, the fact of the matter is, you</p> <p>22 have that extra layer of protection and City</p> <p>23 review. Not only do they have to go through</p> <p>24 the Board of Architects, they have to go</p> <p>25 through Historic Preservation, and that's the</p>	<p style="text-align: right;">Page 71</p> <p>1 CHAIRMAN AIZENSTAT: Can you tell me why?</p> <p>2 MR. GUILFORD: At the time when we met with</p> <p>3 Staff --</p> <p>4 MS. ALBERRO MENENDEZ: But that was --</p> <p>5 MR. TRIAS: '07. Yeah, it's a different</p> <p>6 design. It's a completely different layout and</p> <p>7 so on. That is why. That's the reason why.</p> <p>8 CHAIRMAN AIZENSTAT: Right, but the</p> <p>9 difference is that you're comparing from zero</p> <p>10 to 120 on feet, to zero to 130 on feet. It</p> <p>11 makes that much of a difference that you go</p> <p>12 from 73 -- you go up to 73 percent from a 25</p> <p>13 percent?</p> <p>14 MR. TRIAS: In terms of the -- To summarize</p> <p>15 the issue, the design from 2007 is completely</p> <p>16 different than the design that is being</p> <p>17 proposed today, so I think that comparing those</p> <p>18 two really doesn't give you any --</p> <p>19 CHAIRMAN AIZENSTAT: So you're saying just</p> <p>20 because we're looking at 10 extra feet on the</p> <p>21 length of the frontage, it jumps that much?</p> <p>22 MR. TRIAS: Do you have a sketch of the</p> <p>23 2007 site plan?</p> <p>24 MR. GUILFORD: No.</p> <p>25 MR. FLANAGAN: I don't think he understands</p>
<p style="text-align: right;">Page 70</p> <p>1 reason we are not tying it to a site plan. In</p> <p>2 fact, I believe the Zoning Code says you must</p> <p>3 show a site plan, but it doesn't say you have</p> <p>4 to -- I don't believe, and I'm just recalling,</p> <p>5 that you have to tie yourself to that site</p> <p>6 plan.</p> <p>7 CHAIRMAN AIZENSTAT: Right. Usually this</p> <p>8 Board has always asked --</p> <p>9 MR. GUILFORD: Right.</p> <p>10 CHAIRMAN AIZENSTAT: -- for it to be tied</p> <p>11 to a site plan, in the past.</p> <p>12 MR. GUILFORD: Right, and again, because we</p> <p>13 have to go through the Historic Preservation</p> <p>14 Board, this is no different than what this</p> <p>15 Board did at 1800 LeJeune.</p> <p>16 CHAIRMAN AIZENSTAT: And then just one more</p> <p>17 question, if I may, actually.</p> <p>18 MR. GUILFORD: Yes.</p> <p>19 CHAIRMAN AIZENSTAT: I noticed, when the</p> <p>20 application was done back in '07, the numbers</p> <p>21 for the site frontage analysis are totally</p> <p>22 different than what they are now.</p> <p>23 MR. GUILFORD: Correct.</p> <p>24 CHAIRMAN AIZENSTAT: Completely.</p> <p>25 MR. GUILFORD: Yes.</p>	<p style="text-align: right;">Page 72</p> <p>1 your question.</p> <p>2 CHAIRMAN AIZENSTAT: Ramon, I'm not sure if</p> <p>3 you understand the question that I'm asking.</p> <p>4 Walter, do you follow what I'm asking?</p> <p>5 MR. CARLSON: Walter Carlson, the Planning</p> <p>6 Department. The 2007 proposal that came before</p> <p>7 you was a flag lot. And the flag lot, the</p> <p>8 frontage on a flag lot is very narrow, very</p> <p>9 narrow and it goes back to a larger portion</p> <p>10 which the house would be built on, and the</p> <p>11 narrow portion provides for the driveway that</p> <p>12 goes back to it.</p> <p>13 CHAIRMAN AIZENSTAT: Right.</p> <p>14 MR. CARLSON: When Staff did the frontage</p> <p>15 analysis, we always based how many up to the</p> <p>16 proposed frontage and how many over the</p> <p>17 proposed frontage. So what we looked at was</p> <p>18 the width of the flag portion of it. Not the</p> <p>19 larger portion of the back, the flag portion.</p> <p>20 So, when you compared the flag portion, which</p> <p>21 was very narrow, to the surrounding</p> <p>22 neighborhood, that portion was much smaller</p> <p>23 than the comparables.</p> <p>24 MR. TRIAS: Mr. Flanagan --</p> <p>25 MR. CARLSON: This one goes completely</p>

<p style="text-align: right;">Page 73</p> <p>1 back.</p> <p>2 MR. TRIAS: Just like I said --</p> <p>3 CHAIRMAN AIZENSTAT: I understand that, but --</p> <p>4 MR. TRIAS: -- the design is completely</p> <p>5 different.</p> <p>6 CHAIRMAN AIZENSTAT: I understand, but if</p> <p>7 you go from zero -- if you look back at the</p> <p>8 '07, and you go from zero to 120 feet --</p> <p>9 MR. CARLSON: Uh-huh.</p> <p>10 CHAIRMAN AIZENSTAT: -- and the percentage</p> <p>11 is 25 percent, from zero to 120 feet --</p> <p>12 MR. CARLSON: Let me get to there.</p> <p>13 CHAIRMAN AIZENSTAT: Now, this is based --</p> <p>14 and I agree, it's based upon a flag lot.</p> <p>15 MR. CARLSON: Uh-huh.</p> <p>16 CHAIRMAN AIZENSTAT: But I'm just looking</p> <p>17 at my frontage.</p> <p>18 MR. CARLSON: I don't have it in front of</p> <p>19 me.</p> <p>20 CHAIRMAN AIZENSTAT: Let me give you this.</p> <p>21 MR. CARLSON: Okay.</p> <p>22 CHAIRMAN AIZENSTAT: It's under Attachment</p> <p>23 C. If you notice, if you go zero to 120 feet,</p> <p>24 you're at 25 percent, under that analysis.</p> <p>25 MR. CARLSON: Okay.</p>	<p style="text-align: right;">Page 75</p> <p>1 MR. CARLSON: But when this was done in --</p> <p>2 MR. FLANAGAN: In '07.</p> <p>3 MR. CARLSON: But it was of a comparable --</p> <p>4 It was comparable zoning districts, and the</p> <p>5 districts, we had R1 through R17. Now it's all</p> <p>6 SFR at this time.</p> <p>7 CHAIRMAN AIZENSTAT: But weren't -- If you</p> <p>8 go a thousand feet, weren't they all</p> <p>9 single-family homes?</p> <p>10 MR. CARLSON: But we had about 12 different</p> <p>11 categories of single-family homes, and we would</p> <p>12 only include those which are of the same --</p> <p>13 MS. ALBERRO MENENDEZ: Category?</p> <p>14 MR. CARLSON: -- zoning designation, let's</p> <p>15 say SF -- or R14s. So we would only include</p> <p>16 the R14s, and those would be, typically, the</p> <p>17 ones which would go along the Boulevard.</p> <p>18 This one, we go out to a thousand feet, and</p> <p>19 we include all single-family residences, which</p> <p>20 would include a lot more smaller properties,</p> <p>21 which are interior and off the Boulevard.</p> <p>22 CHAIRMAN AIZENSTAT: Okay.</p> <p>23 Continue, Jeff. You had something?</p> <p>24 MR. LEEN: Mr. Chair?</p> <p>25 CHAIRMAN AIZENSTAT: Yes.</p>
<p style="text-align: right;">Page 74</p> <p>1 CHAIRMAN AIZENSTAT: Today's analysis, if</p> <p>2 we go to zero to 130 feet, a 10-foot</p> <p>3 difference, I'm at 73 percent.</p> <p>4 MR. CARLSON: This --</p> <p>5 CHAIRMAN AIZENSTAT: Why does it -- Explain</p> <p>6 to me why it jumps dramatically like that.</p> <p>7 MR. CARLSON: Well, the new Code required</p> <p>8 that we go out to a minimum of a thousand feet.</p> <p>9 CHAIRMAN AIZENSTAT: Right.</p> <p>10 MR. CARLSON: Okay, and this one was a</p> <p>11 different area of study.</p> <p>12 CHAIRMAN AIZENSTAT: How much of an area</p> <p>13 was it?</p> <p>14 MR. CARLSON: I can't recall at this time.</p> <p>15 I'd have to go back and go into the --</p> <p>16 CHAIRMAN AIZENSTAT: Was it a hundred feet,</p> <p>17 500 feet?</p> <p>18 MR. CARLSON: I really can't remember.</p> <p>19 MS. ALBERRO MENENDEZ: I would think it was</p> <p>20 500 feet.</p> <p>21 MR. FLANAGAN: No, it's a thousand.</p> <p>22 MS. ALBERRO MENENDEZ: A thousand?</p> <p>23 MR. FLANAGAN: Criteria Number 2, from</p> <p>24 2007, says within a minimum of a thousand foot</p> <p>25 radius.</p>	<p style="text-align: right;">Page 76</p> <p>1 MR. LEEN: If I may, I just wanted to</p> <p>2 clarify one point regarding the building</p> <p>3 site -- pardon me, regarding the proposed site</p> <p>4 plan. Our Code does require a proposed site</p> <p>5 plan be provided with the application. I</p> <p>6 think, in my opinion, the reason it's done is</p> <p>7 to facilitate you applying conditions to that</p> <p>8 property. If you decide to approve the lot</p> <p>9 split, you're allowed to put conditions to</p> <p>10 protect for each of the categories. Each of</p> <p>11 the criteria that you're looking at, you can</p> <p>12 impose conditions that will protect and ensure</p> <p>13 that the goals of the City for each of those</p> <p>14 criteria are met, and the site plan allows you</p> <p>15 to do that, because it gives you a much better</p> <p>16 indication of what's being planned there.</p> <p>17 CHAIRMAN AIZENSTAT: Thank you.</p> <p>18 MS. ALBERRO MENENDEZ: I have a question.</p> <p>19 I have some plans that show an encroachment</p> <p>20 with the dock and I show some plans that don't</p> <p>21 show the encroachment. I don't see it being</p> <p>22 demolished, those that show the encroachment.</p> <p>23 Can you answer?</p> <p>24 MR. TRIAS: The dock is clearly an</p> <p>25 encroachment.</p>

<p style="text-align: right;">Page 77</p> <p>1 MS. ALBERRO MENENDEZ: It is an 2 encroachment? 3 MR. TRIAS: Yes. 4 MS. ALBERRO MENENDEZ: Okay. Can you also 5 share with me, the pool area or the cabana, 6 what distance is it to the proposed property 7 line? Because it seems very close. 8 MR. TRIAS: I think the applicant can give 9 you the precise dimension. 10 MS. ALBERRO MENENDEZ: Five feet? But is 11 that proper? Oh, there it is. Yes, I see a 12 plan here that's five feet -- 13 MR. HEISENBOTTLE: In that particular 14 location, Zoning has advised us that that 15 setback is applied at five feet on the Lot 1 16 side of the property, and it's applied at 10 17 feet on the opposite side of the property, on 18 the Lot 2 side of the property. So there's a 19 15-foot separation between any two buildings 20 there. 21 MS. ALBERRO MENENDEZ: But if this was a 22 stand-alone building, what is the setback from 23 that pool cabana to the property line? What is 24 the required zoning setback? 25 MR. HEISENBOTTLE: Five feet.</p>	<p style="text-align: right;">Page 79</p> <p>1 the setback required is 20 feet, you can go 2 five on one side, 15 on the other. And if the 3 pool happens to be on one side, and the 4 building is set back five feet, then the pool 5 is set back five feet. 6 MS. ALBERRO MENENDEZ: Okay. 7 MR. FLANAGAN: Do you mind if I follow up 8 with that? 9 MS. ALBERRO MENENDEZ: Sure. 10 MR. FLANAGAN: So it's a five-foot setback 11 where -- What do we call it, the pool pavilion? 12 Mr. Trias, my plans -- 13 MR. TRIAS: Yes. 14 MR. FLANAGAN: -- show that basically the 15 southernmost corner of that pool pavilion then 16 actually encroaches into the five-foot setback. 17 Is that correct? 18 MR. HEISENBOTTLE: No, that's not correct. 19 MR. FLANAGAN: Okay. 20 MR. HEISENBOTTLE: That's the overhang that 21 you're seeing on the drawing, the roof 22 overhang. 23 MR. FLANAGAN: Okay, thank you. 24 Mr. Trias -- 25 MR. TRIAS: And that can encroach two feet,</p>
<p style="text-align: right;">Page 78</p> <p>1 MS. ALBERRO MENENDEZ: Is there anyone here 2 from Zoning? 3 MR. TRIAS: Yes. Yes, that's correct. 4 MS. ALBERRO MENENDEZ: Okay. 5 MR. TRIAS: That's correct. 6 MS. ALBERRO MENENDEZ: Five feet? We've 7 always had more stringent setbacks for pools 8 and cabanas. I guess that changed, too, Wally? 9 MR. CARLSON: I don't remember. 10 MS. SPAIN: I know. A few years ago, I 11 believe that the -- You're thinking about the 12 rear setback on the pools. It went from five 13 feet to 10 feet. 14 MS. ALBERRO MENENDEZ: Right. 15 MS. SPAIN: But the side setback has always 16 been five. There is an overall 20 percent of 17 the lot that sometimes requires a person to 18 pull the structure back, because of the overall 19 setbacks, but typically it's five feet. 20 MS. ALBERRO MENENDEZ: Okay. Thank you, 21 Ms. Lubin. 22 MS. SPAIN: Not that I'm in Zoning. 23 MR. BELLIN: Maybe I can clear it up. The 24 pool and cabana setback at the rear of the 25 property is the same as the building. So, if</p>	<p style="text-align: right;">Page 80</p> <p>1 yes. 2 MR. FLANAGAN: But it's not -- it looks 3 like it encroaches -- It actually looks like it 4 encroaches in several areas into that five-foot 5 setback. 6 MR. TRIAS: And that is not intent of this 7 proposal, and certainly there's flexibility in 8 terms of where that line is drawn, and if 9 they've done it wrong, then I -- 10 MR. HEISENBOTTLE: We haven't done it 11 wrong. 12 MR. TRIAS: From my perspective, they did 13 it correctly, but if you believe there's a 14 mistake, certainly, you can point that out. 15 MR. FLANAGAN: So we're being asked to 16 evaluate under some very technical criteria, 17 and I think we spent a lot of time at our last 18 application about a lot split on the technical 19 criteria. The plans that I have show that the 20 pool pavilion encroaches into the setback. But 21 then the Staff report says there's no 22 encroachments. You just stated that they can 23 move the line, if they've done it wrong. I 24 hear the architect in the audience saying they 25 haven't done it wrong.</p>

<p style="text-align: right;">Page 81</p> <p>1 MR. TRIAS: Mr. Flanagan, what I said was 2 that the intent of the architect as presented 3 is to comply, comply with the zoning 4 requirements. That is what they have done, and 5 that's what they have provided to you. Now, 6 that's -- 7 MR. FLANAGAN: I'm not talking about the 8 proposed house. I'm not talking about the one 9 that's going to be constructed. I'm talking 10 about what remains on -- 11 MR. TRIAS: Right, right, I understand, the 12 area -- Clearly, the applicant -- 13 Would you -- Why don't you testify, as the 14 architect? 15 MR. HEISENBOTTLE: May I speak? But I want 16 to make sure that -- 17 CHAIRMAN AIZENSTAT: No, no -- Yeah, if 18 you're being directed a question to you, that's 19 fine. 20 MR. HEISENBOTTLE: I think what you're 21 suggesting is incorrect. The building 22 deliberately sets back five feet from the wall, 23 but you have an overhang on the roof, and the 24 line you're referring to is the roof overhang 25 that is encroaching into the five-foot setback.</p>	<p style="text-align: right;">Page 83</p> <p>1 MR. GUILFORD: Mr. Chairman, I can actually 2 give you the provision. It's actually -- The 3 provision is Section 5-1408, called Common 4 driveways and remote off-street parking. 5 "Common driveways. Adjacent properties are 6 permitted to share a common driveway, provided 7 the property owners submit an appropriate 8 restrictive covenant or access easement in 9 recordable form acceptable to the City 10 Attorney; and the restrictive covenant or 11 access easement provides for the continued 12 existence of the shared driveway until such 13 time as the City Manager releases the 14 obligation of the restrictive covenant or 15 easement." 16 Again, that is Section 5-1408 of the Zoning 17 Code. 18 MR. LEEN: And just for the record, I would 19 likely require both properties to maintain it, 20 so that both would have the duty -- 21 MS. ALBERRO MENENDEZ: Right. 22 MR. LEEN: -- to maintain that driveway. 23 MS. ALBERRO MENENDEZ: Okay. 24 MR. LEEN: And then -- in the public 25 right-of-way, and so we could seek Code</p>
<p style="text-align: right;">Page 82</p> <p>1 It's a typical eave on a typical house that 2 extends a foot and a half or two feet over the 3 edge of the base building itself, of the 4 concrete block wall that is there. 5 MS. ALBERRO MENENDEZ: Do you have -- Can 6 I -- 7 MR. FLANAGAN: As long as the overhangs are 8 allowed to encroach? 9 MR. TRIAS: They are allowed to encroach, 10 as long as it's up to two feet. They're not 11 allowed to encroach any more than that. 12 MS. ALBERRO MENENDEZ: The shared driveway 13 approach, I don't recall us ever allowing 14 shared driveway approaches. Now, we just got 15 this plan. This is a new plan that we were 16 just given. If it's two separate houses with 17 two separate folio numbers, I don't think 18 they'd be sharing an approach. 19 CHAIRMAN AIZENSTAT: Do we -- 20 MS. ALBERRO MENENDEZ: Who maintains it, I 21 guess, is -- 22 MR. TRIAS: That plan has been provided to 23 us, also, just now, so we haven't reviewed it. 24 CHAIRMAN AIZENSTAT: Who can give us that 25 answer, if it's allowed?</p>	<p style="text-align: right;">Page 84</p> <p>1 enforcement against either, if they didn't. 2 CHAIRMAN AIZENSTAT: Thank you. 3 MS. ALBERRO MENENDEZ: I have a question 4 for Staff. You know, we always go through 5 these criterias, and for the most part, I agree 6 with the criterias that you have set forth, but 7 the two that bother me -- because I really 8 think that only one is being met. The two that 9 kind of like, I'd like to discuss, is Item 3 -- 10 because of the encroachment of the dock, I 11 think it doesn't meet that criteria. I'm 12 sorry, I'm trying to look for my paperwork 13 here. Can you explain to me why you all saw it 14 otherwise? 15 MR. TRIAS: The encroachment? 16 MS. ALBERRO MENENDEZ: Yes. 17 MR. TRIAS: No, we agree, the encroachment 18 doesn't meet the criteria. 19 MS. ALBERRO MENENDEZ: I'm sorry? 20 MR. TRIAS: The encroachment is there, so 21 that's one of the -- I agree with you, Ms. 22 Menendez. 23 MS. ALBERRO MENENDEZ: Okay, and then under 24 Criteria 5 -- 25 CHAIRMAN AIZENSTAT: Well, Number 3, you</p>

<p style="text-align: right;">Page 85</p> <p>1 said, is satisfied.</p> <p>2 MS. ALBERRO MENENDEZ: Right. He said it's</p> <p>3 satisfied, but I think there's a problem with</p> <p>4 that criteria, given that there's a dock</p> <p>5 encroachment. Outside of all the other</p> <p>6 encroachments that have been approved to be</p> <p>7 removed, you still have that dock encroachment.</p> <p>8 CHAIRMAN AIZENSTAT: So, Mr. Trias, are you</p> <p>9 saying, then, that Number 3 would not be</p> <p>10 satisfied?</p> <p>11 MR. TRIAS: Well, Number 3 talks about</p> <p>12 creating nonconformities.</p> <p>13 CHAIRMAN AIZENSTAT: Right.</p> <p>14 MR. TRIAS: Okay, and Number 4 is the one</p> <p>15 that talks -- speaks about the encroachments.</p> <p>16 So I think, what my thinking is, that the dock</p> <p>17 is clearly an encroachment and it would be</p> <p>18 covered under Number 4.</p> <p>19 MS. ALBERRO MENENDEZ: But Number 3 also</p> <p>20 relates to setbacks, and docks require a</p> <p>21 setback.</p> <p>22 MR. TRIAS: That is true. That is true.</p> <p>23 And certainly, you may look at it. You have</p> <p>24 the ability to look at it that way.</p> <p>25 MS. ALBERRO MENENDEZ: Right, and then</p>	<p style="text-align: right;">Page 87</p> <p>1 MR. LEEN: I would look to the -- There is</p> <p>2 a definition in our Code of "building," so</p> <p>3 that's where I would start, which I have. It</p> <p>4 says -- Pardon me. It says that, "Building</p> <p>5 means any structure used or intended for</p> <p>6 supporting or sheltering any use or occupancy,"</p> <p>7 under the Florida -- and then it says Florida</p> <p>8 Building Code. So then I would look to see if</p> <p>9 there's a definition of structure. Let me just</p> <p>10 find it.</p> <p>11 "Structure means any object anchored to the</p> <p>12 ground, constructed or installed by humankind,</p> <p>13 including signs, buildings, parking lots,</p> <p>14 garages, carports, flagpoles, stoops and</p> <p>15 utility buildings. Note: All buildings are</p> <p>16 structures but not all structures are</p> <p>17 buildings."</p> <p>18 So I view a building in the common sense,</p> <p>19 of an actual building. So I think -- so it</p> <p>20 would be my opinion that a building would be</p> <p>21 something like a house, and not something like</p> <p>22 a dock.</p> <p>23 MR. BELLIN: Or a driveway?</p> <p>24 MR. LEEN: Say that again?</p> <p>25 MR. BELLIN: Or a driveway?</p>
<p style="text-align: right;">Page 86</p> <p>1 under Number 5, you know, I have a question.</p> <p>2 We satisfied this one, according to Staff, yet</p> <p>3 the architectural (sic) of this property that</p> <p>4 made it historic, to say that the lot split is</p> <p>5 going to enhance it, how does that happen?</p> <p>6 MR. TRIAS: And you may disagree with the</p> <p>7 Staff view on this, and the way that we looked</p> <p>8 at this is that one of the main ideas was to</p> <p>9 preserve the building, one of the proposals of</p> <p>10 the applicant, so therefore, the criteria was</p> <p>11 satisfied in general, but you may disagree.</p> <p>12 MS. ALBERRO MENENDEZ: Okay. That's all I</p> <p>13 have for now.</p> <p>14 MR. BELLIN: Yeah, I've got a number of</p> <p>15 questions. First I'd like to ask Craig a</p> <p>16 question.</p> <p>17 The Code specifically states encroachment</p> <p>18 with respect to buildings, take down a</p> <p>19 building. I don't consider these encroachments</p> <p>20 buildings. Could you tell me if that's a</p> <p>21 correct interpretation or it's not?</p> <p>22 MR. LEEN: Are you talking about the word</p> <p>23 "building" in four, when it talks about the</p> <p>24 voluntary demolition?</p> <p>25 MR. BELLIN: Yes.</p>	<p style="text-align: right;">Page 88</p> <p>1 MR. LEEN: Or a driveway, for purposes of</p> <p>2 four. But I do need to also state, though,</p> <p>3 that for purposes of three, they might -- it</p> <p>4 might fall under that, in terms of what you</p> <p>5 can't demolish, for three. But for four, I</p> <p>6 view building under the common definition of</p> <p>7 it.</p> <p>8 MR. BELLIN: Okay. So I want to address</p> <p>9 that particular issue. Staff said it doesn't</p> <p>10 satisfy it. But I think it does satisfy it, by</p> <p>11 that definition, and somebody stated that as</p> <p>12 the Code, through the years, has been</p> <p>13 rewritten, it's been rewritten to be more</p> <p>14 stringent than the Code before, and I think if</p> <p>15 the intent was to make it buildings, then</p> <p>16 that's what they made it. If they didn't</p> <p>17 intend it to be buildings, but docks and</p> <p>18 driveways and everything else, they would have</p> <p>19 taken buildings out, which they didn't do, in</p> <p>20 all those years of Code rewrites.</p> <p>21 MR. LEEN: Well, in analyzing four, I don't</p> <p>22 want to tell you which way to determine that.</p> <p>23 I would say that presently it doesn't meet it,</p> <p>24 because they exist. So there is an existing</p> <p>25 encroachment which would prevent separation of</p>

<p style="text-align: right;">Page 89</p> <p>1 the site.</p> <p>2 Now, if you were to -- You are allowed to</p> <p>3 impose a condition that they remove those, and</p> <p>4 that would not violate the next sentence, in my</p> <p>5 opinion. But right now, you could make a</p> <p>6 finding it does not meet four, because it does</p> <p>7 not meet four.</p> <p>8 MR. BELLIN: But --</p> <p>9 MR. LEEN: You can do things to ensure that</p> <p>10 they meet four.</p> <p>11 MR. BELLIN: Okay. I'd like to make a</p> <p>12 motion to approve the lot split.</p> <p>13 MR. PEREZ: I'll second it.</p> <p>14 CHAIRMAN AIZENSTAT: We have a motion --</p> <p>15 MS. ALBERRO MENENDEZ: For purposes -- Can</p> <p>16 we discuss it?</p> <p>17 MR. TRIAS: We need to make a motion for</p> <p>18 each of the three --</p> <p>19 MS. ALBERRO MENENDEZ: Wait --</p> <p>20 CHAIRMAN AIZENSTAT: Well --</p> <p>21 MS. ALBERRO MENENDEZ: I'd like to discuss</p> <p>22 a few things.</p> <p>23 CHAIRMAN AIZENSTAT: Just one second. We</p> <p>24 have a motion for the lot split. Now --</p> <p>25 MR. BELLIN: And I'd like to attach a</p>	<p style="text-align: right;">Page 91</p> <p>1 finding that you're making, that you're</p> <p>2 attempting to preserve.</p> <p>3 CHAIRMAN AIZENSTAT: Right, but for</p> <p>4 purposes of discussion, we understand what he</p> <p>5 is saying at this point, if that's okay.</p> <p>6 So we have a motion in general. We have a</p> <p>7 second.</p> <p>8 MR. PEREZ: We have a second on the lot</p> <p>9 split, yes.</p> <p>10 CHAIRMAN AIZENSTAT: Let's open it up for</p> <p>11 any discussion.</p> <p>12 MS. ALBERRO MENENDEZ: Yes. I'd like to</p> <p>13 make a few points. I was writing while I was</p> <p>14 hearing the public testimony on both sides.</p> <p>15 You know, when I looked at this site, and I</p> <p>16 even went by it, I'm very familiar with it. I</p> <p>17 believe that the architectural and the historic</p> <p>18 significance is tied to the entire lot. That</p> <p>19 house was designed with the whole, entire lot</p> <p>20 in mind. You can just tell by looking at the</p> <p>21 site plan, the way that the driveway comes in</p> <p>22 and comes right, you know, to a circular -- I</p> <p>23 mean, the whole lot was -- The house was</p> <p>24 designed with the entire lot in mind. So I</p> <p>25 think that the architecture is compromised when</p>
<p style="text-align: right;">Page 90</p> <p>1 condition to it, as well.</p> <p>2 MR. LEEN: Well, there's a lot here.</p> <p>3 Mr. Chair, may I --</p> <p>4 CHAIRMAN AIZENSTAT: Yes, please.</p> <p>5 MR. LEEN: In terms of the procedure, is</p> <p>6 this just a general vote, and then you're going</p> <p>7 to go, one by one, through the specific items,</p> <p>8 or are you voting on Number 1, the ordinance?</p> <p>9 MR. BELLIN: No, I would do it as a general</p> <p>10 vote and then go back and --</p> <p>11 MR. LEEN: So this is to get the sense</p> <p>12 of -- Mr. Chair, I would treat it as a sense of</p> <p>13 the Planning and Zoning Board, and then based</p> <p>14 on that, you could act on the three.</p> <p>15 MR. BELLIN: And I'd like to add a</p> <p>16 condition to it. When you split a lot, it</p> <p>17 allows you more FAR than you would ordinarily</p> <p>18 get if the lot stayed as one lot. It increases</p> <p>19 by about 5,000 square feet. And I'd like to</p> <p>20 attach a condition to that, that the FAR</p> <p>21 doesn't increase any greater than it would be</p> <p>22 if it was a single lot.</p> <p>23 MR. LEEN: I think, for purposes of that</p> <p>24 condition, when you discuss it, it is better if</p> <p>25 you attach that to a specific provision or</p>	<p style="text-align: right;">Page 92</p> <p>1 we start splitting this lot.</p> <p>2 I think that the property owner benefited</p> <p>3 at one time, it being historically designated.</p> <p>4 I think, as someone has testified here, the</p> <p>5 fact that I believe at 2007, and I'd like to be</p> <p>6 corrected if I'm wrong, some improvements were</p> <p>7 made that benefited him, from having tax</p> <p>8 exemptions, because of the fact that it was</p> <p>9 historically designated.</p> <p>10 I mentioned the fact that I only see one of</p> <p>11 the six criterias being met. So I am going to</p> <p>12 vote against the motion that's been made.</p> <p>13 CHAIRMAN AIZENSTAT: But right now, we're</p> <p>14 just having a discussion. Any other</p> <p>15 discussion?</p> <p>16 MR. BELLIN: I think that what we have to</p> <p>17 base our opinion on is whether this complies</p> <p>18 with four of the six requirements.</p> <p>19 MS. ALBERRO MENENDEZ: Right.</p> <p>20 MR. BELLIN: And if it does, then I think</p> <p>21 they have the right to split the lot.</p> <p>22 MS. ALBERRO MENENDEZ: Right.</p> <p>23 MR. BELLIN: So the discussion really needs</p> <p>24 to be about, does it comply with four of the</p> <p>25 six, and then after we have the discussion,</p>

<p style="text-align: right;">Page 93</p> <p>1 everybody makes their own decision as to 2 whether it does or not.</p> <p>3 MS. ALBERRO MENENDEZ: Right, I agree with 4 that. But my comments are based on the 5 criteria. We're all interpreting the criteria, 6 and the loss of trees, to me, does not enhance 7 the area. The cutting off of the lot 8 compromises the visibility of that property. 9 The whole site is being compromised.</p> <p>10 So all of my comments are tied to the 11 criteria. If you want, we can go one, this one 12 meets that one, you know, but overall, I think 13 that the criteria is not being met, as I 14 mentioned. I believe one out of the six 15 criteria are being met.</p> <p>16 CHAIRMAN AIZENSTAT: Okay. 17 Jeffrey, any comments?</p> <p>18 MR. FLANAGAN: Yeah, back to the dock, it's 19 not shown on the demo plan as being removed, 20 but yet on the conceptual site plan, it looks 21 like a new dock on proposed Lot 2. I guess 22 there's no question there, but Ramon, how is 23 that being -- What's the analysis on that? 24 It's not shown in red on the demo plan, which 25 everything else that's being removed is.</p>	<p style="text-align: right;">Page 95</p> <p>1 MR. HEISENBOTTLE: If I may -- 2 MR. FLANAGAN: Sure.</p> <p>3 MR. HEISENBOTTLE: One -- The dock is made 4 up of a number of different bays of piles, and 5 one bay of those piles would have to be 6 demolished to relieve the encroachment. It 7 should have been shown on a demo plan. We can 8 certainly make it part of the criteria this 9 evening, that that one bay of the dock would be 10 removed.</p> <p>11 MR. FLANAGAN: Okay. Again, I think that's 12 yet another important component, because of 13 course, Maria sees it as an encroachment. We 14 now have Mr. Trias calling it an encroachment, 15 which may impact the analysis of one of these 16 criteria. So you're saying that should have 17 been shown in red? It should be demo'd? It is 18 being demo'd?</p> <p>19 MR. HEISENBOTTLE: We would demo that 20 section of the dock that encroaches, yes.</p> <p>21 MS. ALBERRO MENENDEZ: Was that approved by 22 the Historic Preservation Board to be demo'd? 23 MR. HEISENBOTTLE: No.</p> <p>24 MS. SPAIN: I actually don't believe the 25 dock is designated as historic, because it</p>
<p style="text-align: right;">Page 94</p> <p>1 MR. TRIAS: Right.</p> <p>2 MR. FLANAGAN: It says -- it actually says 3 on the demo plan, "existing wood dock to 4 remain," but yet when you look at the 5 conceptual plan, the wood dock does not extend 6 northerly over onto and encroach onto Lot 1.</p> <p>7 MR. TRIAS: Yeah, the only way I can look 8 at it is looking at the demolition plan, which 9 is the one that has been reviewed by the 10 Historic Preservation Board, and I believe 11 that's the intent, and that shows the dock and 12 it's an encroachment. I mean, I think that's 13 factual.</p> <p>14 Now, as far as the proposed site plan, 15 that's a concept, as you can see. It's not 16 even being proposed as a development.</p> <p>17 MR. FLANAGAN: No, I understand that. I 18 just got confused over the fact that one 19 plan -- The two plans seem to relatively mesh 20 together for what's being demo'd --</p> <p>21 MR. TRIAS: Yeah.</p> <p>22 MR. FLANAGAN: -- and what may be built. 23 But the dock, they don't mesh together, on the 24 two plans.</p> <p>25 MR. TRIAS: And that's true.</p>	<p style="text-align: right;">Page 96</p> <p>1 falls outside of the property line. They 2 didn't discuss it. It wasn't brought up.</p> <p>3 MR. BELLIN: We --</p> <p>4 MR. PEREZ: A question that I would have 5 for the City Attorney is as relates to the 6 shared drive, as well.</p> <p>7 MR. LEEN: Yes.</p> <p>8 MR. PEREZ: I'm not sure, without knowing 9 what the intent of the dock is or who it 10 belongs to, but can there be kind of a shared 11 agreement, as well, if in fact that dock would 12 remain?</p> <p>13 MR. LEEN: A shared dock?</p> <p>14 MR. PEREZ: Yeah, that's just a point of 15 clarity. I'm not sure, because if you have a 16 shared drive and you have -- and you'd be 17 seeking the both parties to maintain it, will 18 the same kind of theory apply towards a dock?</p> <p>19 MR. LEEN: A shared driveway is expressly 20 allowed by the Code so as long as there's a 21 restrictive covenant ensuring the City is 22 protected. I have not heard of a shared dock, 23 and it would be an encroachment. It would 24 normally tie the two properties together, which 25 is why you need the lot split, to begin with.</p>

<p style="text-align: right;">Page 97</p> <p>1 You have a fair amount of discretion -- so does 2 the City Commission, ultimately, in approving 3 it -- over the conditions you impose. So I 4 would want to take a look at that. My feeling 5 is that the Commission has a lot of discretion 6 here, and so you could recommend almost 7 anything in terms of the conditions that you 8 would apply.</p> <p>9 In light of that, just in further answer to 10 your question, I do believe that in considering 11 this motion, you need to consider also whether 12 you're going to include Historic Preservation's 13 conditions, and also you should consider 14 whether -- Are there -- For example, in Number 15 4, right now it doesn't comply with four unless 16 they do remove a couple of these encroachments, 17 which I've interpreted not to be buildings, but 18 you may want to require that as part of the 19 condition of the approval, to make sure that it 20 meets Number 4. You may want to consider what 21 to do regarding trees. You have the authority 22 to do that, in terms of Number 1. That's only 23 if you vote to approve. You can also then 24 impose the conditions.</p> <p>25 CHAIRMAN AIZENSTAT: How does the wall --</p>	<p style="text-align: right;">Page 99</p> <p>1 basically ties the property. 2 MS. SPAIN: It does. 3 CHAIRMAN AIZENSTAT: Correct. 4 MS. SPAIN: It does, as did the wall on 5 Coral Way, 1248 Coral Way. So when they do a 6 new house on that property that is now a 7 separate building site, they'll have to come to 8 the Historic Preservation Board to get the 9 driveway put through there. 10 CHAIRMAN AIZENSTAT: Okay. 11 MR. LEEN: And I agree with Dona. That's 12 generally the process. This is a little 13 different because it's a lot split. The 14 Commission could conceivably impose a condition 15 that would take precedence over that, but 16 normally I would think that the Commission 17 would want to be very careful about the coral 18 rock wall, so it probably would send it to the 19 Historic Preservation Board. 20 MS. SPAIN: Well, the resulting lot would 21 be historic, and so it would have to go to the 22 Historic Preservation Board. 23 MR. LEEN: The only issue is that the lot 24 split ordinance is more specific, and so any 25 condition they impose would have the force of</p>
<p style="text-align: right;">Page 98</p> <p>1 How does the surrounding wall come into play, 2 as far as encroachment?</p> <p>3 MR. LEEN: Well, a surrounding wall 4 normally ties the properties together. 5 CHAIRMAN AIZENSTAT: Right. 6 MR. LEEN: So you would -- You may want to 7 address that. You could allow it to remain. 8 You could require there to be a separation. 9 CHAIRMAN AIZENSTAT: But there -- 10 MR. LEEN: Historic Preservation might have 11 an issue with that, though. 12 CHAIRMAN AIZENSTAT: I mean, the way I'm 13 looking at it is, there's currently a wall that 14 surrounds the property. 15 MS. SPAIN: There is. It's a coral rock 16 wall. They did discuss the wall. That would 17 require -- if the lot was separated and a new 18 driveway was put in for the new property, that 19 would require a certificate of appropriateness 20 and approval by the Historic Preservation 21 Board, and that has been done before, on walls. 22 I mean, every time you have a lot separation, 23 if there's a wall, that you're going to have to 24 cut into it for a driveway. 25 CHAIRMAN AIZENSTAT: But that wall</p>	<p style="text-align: right;">Page 100</p> <p>1 law and would take precedence over that. 2 MS. SPAIN: Oh, I see what you mean. 3 MR. LEEN: That's what I -- 4 But I'm -- 5 MS. SPAIN: Well, that's one of the 6 conditions that I put -- 7 MR. LEEN: -- sure you would bring this 8 issue up. 9 MS. SPAIN: -- that I put down that -- 10 MR. LEEN: Yes. 11 MS. SPAIN: -- the Board has asked for, is 12 that that needs to be a separate -- 13 MR. LEEN: That's why you may want to 14 recommend those conditions as part of your 15 recommendation. 16 CHAIRMAN AIZENSTAT: Understood. 17 MR. BELLIN: Craig, I think one of the 18 problems that I'm having is, unfortunately, 19 showing a building on this site like that, you 20 look at it and you say, it's wiping out all the 21 trees. First of all, they don't -- 22 MR. GUILFORD: Just a point of 23 information -- I'm sorry. 24 CHAIRMAN AIZENSTAT: Go ahead, Marshall. 25 MR. BELLIN: First of all, the house will</p>

<p style="text-align: right;">Page 101</p> <p>1 never be built like that, and I think good 2 design that is sensitive to the environment and 3 sensitive to the placement of the trees can be 4 handled in a very nice way. And that house, 5 because it's designated historic, that house 6 that's designed there is going to have to go to 7 the Historic Board, and they're going to look 8 at the trees that are going to be removed and 9 say, "I'm not going to approve this." 10 So I think that's one way to sort of help 11 out with respect to what goes and what stays. 12 MS. SPAIN: No, I agree with you. 13 MR. BELLIN: And I think that that house 14 probably wipes out 50 percent of the trees, but 15 being sensitive to the design maybe takes 10 16 percent of the trees down, and maybe none of 17 the important trees. 18 MR. LEEN: And I'm not stating it -- All 19 I'm saying is that, for example, you've given a 20 condition on FAR. You could also give a 21 condition regarding trees, or not. You can say 22 that that will go to the Historic Preservation 23 Board. That's all I'm saying. 24 MR. BELLIN: Well, I'd like Historic 25 Preservation, since they're already involved in</p>	<p style="text-align: right;">Page 103</p> <p>1 MR. GRABIEL: -- or would we have to vote 2 on that, on those? 3 MS. SPAIN: I would request that that be 4 part of your recommendation -- 5 MR. GRABIEL: Okay. 6 MS. SPAIN: -- if in fact you're 7 recommending in favor of the lot separation. 8 MR. GRABIEL: Even though it was voted by 9 the Historic Board -- 10 MS. SPAIN: Uh-huh. 11 MR. GRABIEL: -- we would have to make sure 12 that those would be part? 13 MS. SPAIN: That's a question for the City 14 Attorney. 15 MR. LEEN: You don't have to. You can. 16 MR. TRIAS: Yeah, if I could assist on 17 that, the Staff Report includes those 18 conditions, in case you wanted to propose to 19 approve this. It does specify the conditions 20 that deal with the Historic Preservation 21 content, and you could add more. So I would 22 encourage you to think in those terms, if 23 you're so inclined. 24 MS. SPAIN: Okay. 25 CHAIRMAN AIZENSTAT: Any other comments?</p>
<p style="text-align: right;">Page 102</p> <p>1 that process, to determine whether the trees 2 being taken out are acceptable or not. 3 MS. SPAIN: I just need to clarify one 4 thing, that that wall does not surround the 5 property. It's just in the front. 6 CHAIRMAN AIZENSTAT: Okay, but it still 7 encroaches? 8 MS. SPAIN: Yes. 9 MR. PEREZ: One quick question regarding 10 the dock. So it's outside of the property 11 line, so it's not deemed historic? 12 MS. SPAIN: It's not deemed historic. 13 CHAIRMAN AIZENSTAT: Julio? 14 MR. GRABIEL: Yeah, I have a question on 15 the historic listing that was made by the 16 Historic Preservation Board. 17 MS. SPAIN: On the conditions? 18 MR. GRABIEL: Conditions, yeah. Are those 19 automatically -- 20 MS. SPAIN: I'm sorry, those are what? 21 MR. GRABIEL: Are those automatically -- If 22 the Board were to agree to the splitting of the 23 lot, would those requirements be part of 24 that -- 25 MS. SPAIN: Not necessarily.</p>	<p style="text-align: right;">Page 104</p> <p>1 MR. FLANAGAN: A question. Back to 2 Criteria 4, I read the two together. I think 3 you have to read them together. The first 4 sentence stands on its own, or the second one 5 stands on its own. 6 But let me ask Ramon, could they come in 7 today, no lot split request -- if they wanted 8 to be sneaky, could they have come in today, 9 two years ago, and obtained approval to 10 relocate the driveway, maybe remove the 11 planter, bring things back from the property 12 line, so that other than, let's say, the wall 13 and the dock, there wouldn't have been any 14 encroachments? 15 MR. TRIAS: If they get a certificate of 16 appropriateness and the Historic Preservation 17 Board agrees with their proposal, yes, they 18 could do some of those things. 19 MR. FLANAGAN: And then on Cartee Lot 1, 20 which is on the north side of the Mahi 21 Waterway, did that get -- Was that a lot split? 22 All of the paperwork we have shows it as one 23 platted lot, but yet there's three home sites 24 on it. How did we get there? 25 MR. TRIAS: It did not follow this process.</p>

<p style="text-align: right;">Page 105</p> <p>1 That, we know. And the specifics of how it was 2 platted, I don't believe we know, right? We 3 tried to research that, yeah. 4 MS. ALBERRO MENENDEZ: What year was that 5 done? What year was it platted? 6 MR. CARLSON: We have no record on it. 7 MR. TRIAS: We researched that, and we 8 could not find any information on that, but 9 certainly -- you know. 10 CHAIRMAN AIZENSTAT: So, technically, then, 11 it's one lot? Do you show it as three lots? 12 Is it three folio numbers? 13 MR. FLANAGAN: It could be three folio 14 numbers. I didn't look at property ownership 15 to see if it's a metes and bounds description. 16 Zeke, I don't know if you know. 17 MR. GUILFORD: Yeah, it's actually -- 18 There's actually already two houses located on 19 it. It has three separate folio numbers. 20 MS. ALBERRO MENENDEZ: Then it was 21 replatted. 22 MR. GUILFORD: And it is -- to answer 23 Mr. Flanagan's question, it's metes and bounds. 24 MR. FLANAGAN: Thank you. So it's not? 25 MR. GUILFORD: What?</p>	<p style="text-align: right;">Page 107</p> <p>1 MR. TRIAS: That's when the original 2 ordinance was passed -- 3 MR. LEEN: Yes. 4 MR. TRIAS: -- and they basically said, 5 "Okay, anything before 1977 doesn't quite 6 apply," so -- and that has stayed through the 7 years. 8 MR. LEEN: I think the idea behind it is 9 that if you had the property before then, you 10 didn't know about the ordinance, so the idea 11 that once the ordinance is in place, if you 12 purchased the property, you purchased it with 13 notice of the ordinance, so it makes it a 14 little harder for a newer purchaser to lot 15 split than a purchaser from farther back. 16 CHAIRMAN AIZENSTAT: Okay. 17 Marlin, do you have some information on Lot 18 1? 19 MS. EBBERT: Almalee Moure -- 20 CHAIRMAN AIZENSTAT: Can you come up, 21 just -- please. 22 MS. EBBERT: The family that lives on the 23 other side of the canal, the Mahi Waterway, 24 Almalee Moure, her maiden name was Cartee. Her 25 father owned both those pieces of property.</p>
<p style="text-align: right;">Page 106</p> <p>1 MR. FLANAGAN: Not? 2 It's metes and bounds? 3 MR. TRIAS: It's metes and bounds. 4 MR. GUILFORD: It's in metes and bounds, 5 has three separate folio numbers, and two of 6 the lots already have residences on them. 7 CHAIRMAN AIZENSTAT: Separate owners? 8 MR. GUILFORD: Separate owners. 9 CHAIRMAN AIZENSTAT: How did that happen? 10 MS. ALBERRO MENENDEZ: So the question is, 11 what year did it happen? 12 MR. TRIAS: Yeah, we looked into that, and 13 perhaps the Historic Preservation officer can 14 help us with that. 15 MR. BELLIN: Craig, I have another 16 question. What is the magic number, where 17 there's 1977? How did that come about? Why is 18 that a break-off point? 19 MR. LEEN: 1977? My understanding is that 20 that ties to sort of a legally non-conforming 21 type analysis, whereby you basically -- you're 22 not completely grandfathering, but you're 23 giving a partial grandfathering before 1977, 24 when certain laws were passed. Ramon, I know, 25 researched that.</p>	<p style="text-align: right;">Page 108</p> <p>1 She grew up there. She's probably in her 2 mid-seventies, and her family resides there, on 3 that white house that's out on the point, okay? 4 At some point, a property to the north, you 5 can see where there's a cut in the wall, was 6 sold off. But the Moures just maintain those 7 other two lots. She was here at the Historic 8 Preservation meeting about this. She was 9 against the lot split. I just want to say 10 that. But that's the history. 11 CHAIRMAN AIZENSTAT: Okay, thank you. 12 MS. EBBERT: You know, because Dorothy 13 Thomson kept saying, "Who is this family?" But 14 that was her family, so -- 15 CHAIRMAN AIZENSTAT: Thank you. 16 Any other comments? 17 Would you like to formulate your motion 18 into each one of these individual items? 19 MR. BELLIN: I would prefer that somebody 20 else did, to tell you the truth. 21 CHAIRMAN AIZENSTAT: Mr. City Attorney? 22 MR. LEEN: Yes. 23 CHAIRMAN AIZENSTAT: Maybe hearing -- 24 If I understand the motion that you're in 25 favor, that you're in favor of, is granting the</p>

<p style="text-align: right;">Page 109</p> <p>1 lot splits?</p> <p>2 MR. BELLIN: Granting the lot splits.</p> <p>3 CHAIRMAN AIZENSTAT: You would like to tie</p> <p>4 into it the Historic Preservation, the records</p> <p>5 and everything that was done with Historic</p> <p>6 Preservation?</p> <p>7 MR. BELLIN: Yes.</p> <p>8 CHAIRMAN AIZENSTAT: Number one. There was</p> <p>9 another item that we were talking about.</p> <p>10 MR. BELLIN: The FAR.</p> <p>11 CHAIRMAN AIZENSTAT: The FAR, so -- and you</p> <p>12 would also like to encompass so that after the</p> <p>13 lot split, the amount that is allowed to be</p> <p>14 built will be no greater than if the parcel was</p> <p>15 one --</p> <p>16 MR. BELLIN: Yes.</p> <p>17 CHAIRMAN AIZENSTAT: -- in percentage</p> <p>18 comparison?</p> <p>19 MR. BELLIN: Not in percentage. If the FAR</p> <p>20 on the large lot without the split is 40,000</p> <p>21 square feet --</p> <p>22 CHAIRMAN AIZENSTAT: Okay.</p> <p>23 MR. BELLIN: -- then I would like to see no</p> <p>24 more than 40,000 square feet after the lots are</p> <p>25 split.</p>	<p style="text-align: right;">Page 111</p> <p>1 those attached, as well?</p> <p>2 MR. BELLIN: Yes.</p> <p>3 CHAIRMAN AIZENSTAT: Anything else that you</p> <p>4 would like to put in your motion?</p> <p>5 MR. BELLIN: If you give me a week, I can</p> <p>6 figure out some --</p> <p>7 CHAIRMAN AIZENSTAT: We're here now.</p> <p>8 MR. BELLIN: Okay.</p> <p>9 CHAIRMAN AIZENSTAT: Anything with the</p> <p>10 trees?</p> <p>11 MR. BELLIN: Well, I think the trees would</p> <p>12 be tied to Historic Preservation, so anything</p> <p>13 that's designed on this site has to be reviewed</p> <p>14 by your department, and if they deem that too</p> <p>15 many trees are coming out, there's a specimen</p> <p>16 tree that should stay, then they have to do</p> <p>17 some redesign.</p> <p>18 CHAIRMAN AIZENSTAT: But would that fall</p> <p>19 under Historic Preservation?</p> <p>20 MR. TRIAS: Condition 4 addresses the</p> <p>21 trees. You may want to read it.</p> <p>22 MR. BELLIN: It says it involves the trees.</p> <p>23 CHAIRMAN AIZENSTAT: Okay.</p> <p>24 MS. ALBERRO MENENDEZ: But they have to get</p> <p>25 a tree removal permit from --</p>
<p style="text-align: right;">Page 110</p> <p>1 CHAIRMAN AIZENSTAT: In total --</p> <p>2 MR. BELLIN: Yes.</p> <p>3 CHAIRMAN AIZENSTAT: -- between the two</p> <p>4 homes?</p> <p>5 MR. BELLIN: Yes.</p> <p>6 CHAIRMAN AIZENSTAT: Okay. That's</p> <p>7 understandable.</p> <p>8 MR. LEEN: And that condition would tie</p> <p>9 into five?</p> <p>10 CHAIRMAN AIZENSTAT: Correct.</p> <p>11 MR. LEEN: So that would be a legal</p> <p>12 condition, a legal condition.</p> <p>13 CHAIRMAN AIZENSTAT: Any --</p> <p>14 MR. TRIAS: Mr. Chairman, we do have five</p> <p>15 conditions on Page 20 that may be helpful in</p> <p>16 this discussion.</p> <p>17 CHAIRMAN AIZENSTAT: And would you tie the</p> <p>18 recommendations from the City, if you want to</p> <p>19 take a look at them?</p> <p>20 MR. TRIAS: And generally, they deal with</p> <p>21 the historic issues and the things that have</p> <p>22 been discussed. They're very standard ideas.</p> <p>23 MR. BELLIN: I read through these, and I</p> <p>24 would like to have these attached, as well.</p> <p>25 CHAIRMAN AIZENSTAT: And you'd like to have</p>	<p style="text-align: right;">Page 112</p> <p>1 MR. TRIAS: Right.</p> <p>2 MS. ALBERRO MENENDEZ: -- the Department of</p> <p>3 Public Service.</p> <p>4 MR. TRIAS: And Condition 4 addressed that</p> <p>5 issue, so you may want to read it and see if</p> <p>6 that's sufficient for your purposes.</p> <p>7 CHAIRMAN AIZENSTAT: Marshall, is that</p> <p>8 okay? I'll let you take a look at Condition 4.</p> <p>9 MR. BELLIN: Yeah, I think this really</p> <p>10 hands it over to the Historic Department, and</p> <p>11 they can't remove anything without their</p> <p>12 approval.</p> <p>13 CHAIRMAN AIZENSTAT: Is there a second? So</p> <p>14 we're taking the first item, which is the lot</p> <p>15 split, to separate it into two single-family</p> <p>16 building sites.</p> <p>17 MR. PEREZ: I'll second it, and as a point</p> <p>18 of clarity, so basically it will go to</p> <p>19 Historic, but as it relates to the trees, it</p> <p>20 goes to Public Service?</p> <p>21 CHAIRMAN AIZENSTAT: And Historic.</p> <p>22 MS. ALBERRO MENENDEZ: And Historic.</p> <p>23 MR. PEREZ: Because I believe we're making</p> <p>24 a little bit of a big deal about the trees, but</p> <p>25 without seeing a tree survey, there might be</p>

<p style="text-align: right;">Page 113</p> <p>1 trees there that from a County perspective, 2 they might want to get removed, anyways. 3 MR. TRIAS: Condition Number 4 speaks of 4 the Historic review, it speaks to the Public 5 Service, and also the Planning and Zoning 6 review, for the trees. For the trees. 7 MR. PEREZ: So, yeah, I'll second it. 8 MR. LEEN: Mr. Chair, before -- Well, I see 9 Ms. Spain would like to speak, but after she 10 does, I do think you should allow the applicant 11 to speak on the conditions, to see if they'll 12 proffer them or if they have any objection to 13 them. 14 MS. SPAIN: I just want to say, there is a 15 tree survey in there, at least there was when 16 they went to the Historic Preservation Board; 17 but what isn't in there, because you don't have 18 it tied to a site plan, which of those trees is 19 coming down in the new residence. 20 CHAIRMAN AIZENSTAT: So the way it is now, 21 it is not tied to a site plan? 22 MR. TRIAS: But you may choose to -- 23 CHAIRMAN AIZENSTAT: No, no, I understand, 24 but I'm going on your motion. So your motion 25 is not to have it tied to a site plan?</p>	<p style="text-align: right;">Page 115</p> <p>1 these lot separations. I certainly understand 2 how you would want to see a site plan, but I 3 think it makes it difficult. 4 MR. BELLIN: Dona, I'm not saying that. 5 I'm not saying to design the house. What I'm 6 saying is, when the house is designed by 7 whoever -- 8 MS. SPAIN: Right. 9 MR. BELLIN: -- it comes before you so that 10 you can say yes or no with respect -- 11 MS. SPAIN: Oh, okay. I understand that. 12 But to tie the lot separation to a specific 13 site plan on the new, I would have a problem 14 with. 15 MR. BELLIN: No, I don't think that's the 16 way to do it. 17 MS. SPAIN: Okay. 18 MR. BELLIN: And I think that's part of the 19 problem with the way the house is shown. There 20 should be no house shown on it. Say, "This is 21 the way it is. We're going to design a house 22 in the future, and -- " 23 MS. SPAIN: And they could list the zoning 24 that's on it. 25 MR. BELLIN: List the zoning requirements,</p>
<p style="text-align: right;">Page 114</p> <p>1 MR. BELLIN: Actually, it should be tied to 2 a site plan, because when a house is designed 3 on that site, how the trees are treated is 4 incorporated in the site plan. 5 MS. SPAIN: But do you want that site plan 6 to be before this Board? I have an issue with 7 that. I'm sorry. But really, on these lot 8 separations, when an architect does an outline, 9 and you know, they do an outline to max out the 10 property. Well, specifically in this property, 11 that site plan is not going to be approved by 12 the Historic Preservation Board, because it's 13 taking down too many trees. It would never be 14 approved. 15 MR. BELLIN: It shouldn't have been drawn 16 like that. That's the problem. You show 17 something that covers half the site, knowing 18 that it's never going to be like that, and if 19 you want to show the outline of the house 20 dotted in and say this is what zoning allows -- 21 MS. SPAIN: But then what do they do, 22 Marshall? They design a house on that property 23 and then they sell it with those designs? What 24 if the person buying the property doesn't want 25 to build that house? It's a real problem with</p>	<p style="text-align: right;">Page 116</p> <p>1 what the setbacks are, dot in the footprint, 2 and say they have to come back to you for 3 approval. 4 MS. SPAIN: Okay. 5 MR. BELLIN: So it's really your baby. 6 CHAIRMAN AIZENSTAT: Zeke, having heard 7 what you heard so far, how does your client 8 feel with that motion? 9 MR. GUILFORD: Yes, we have no objections 10 to the conditions that are being proposed in 11 the motion. We accept those conditions. 12 CHAIRMAN AIZENSTAT: Any other comment? 13 Okay, on Item Number 1, call the roll, 14 please. 15 MS. MENENDEZ: Julio Grabiell? 16 MR. GRABIEL: Yes. 17 MS. MENENDEZ: Maria Menendez? 18 MS. ALBERRO MENENDEZ: No. 19 MS. MENENDEZ: Alberto Perez? 20 MR. PEREZ: Yes. 21 MS. MENENDEZ: Marshall Bellin? 22 MR. BELLIN: Yes. 23 MS. MENENDEZ: Jeff Flanagan? 24 MR. FLANAGAN: Yes. 25 MS. MENENDEZ: Eibi Aizenstat?</p>

<p style="text-align: right;">Page 117</p> <p>1 CHAIRMAN AIZENSTAT: No.</p> <p>2 Okay, so on that, we have a -- That passes?</p> <p>3 MR. TRIAS: That's four to two, so it goes</p> <p>4 as a recommendation. Four is the minimum.</p> <p>5 MS. ALBERRO MENENDEZ: It goes with our</p> <p>6 recommendation.</p> <p>7 CHAIRMAN AIZENSTAT: Right, Item Number 8,</p> <p>8 is there a motion for the final plat? So the</p> <p>9 last vote was on Item Number 7. I think you</p> <p>10 said 1. So the first --</p> <p>11 MR. TRIAS: The first one was the</p> <p>12 ordinance.</p> <p>13 CHAIRMAN AIZENSTAT: Is the ordinance,</p> <p>14 correct.</p> <p>15 MR. LEEN: Okay, so this is on the Number</p> <p>16 2, the resolution, which is also Number 8 in</p> <p>17 the agenda, I understand.</p> <p>18 CHAIRMAN AIZENSTAT: Correct.</p> <p>19 Marshall, would you like to make a motion?</p> <p>20 MR. BELLIN: Yeah, I'll make a motion for</p> <p>21 approval.</p> <p>22 MR. PEREZ: I'll second.</p> <p>23 CHAIRMAN AIZENSTAT: A first and second.</p> <p>24 Any questions or comments?</p> <p>25 Call the roll.</p>	<p style="text-align: right;">Page 119</p> <p>1 MR. FLANAGAN: Yes.</p> <p>2 MS. MENENDEZ: Julio Grabiell?</p> <p>3 MR. GRABIEL: Yes.</p> <p>4 MS. MENENDEZ: Maria Menendez?</p> <p>5 MS. ALBERRO MENENDEZ: No.</p> <p>6 MS. MENENDEZ: Eibi Aizenstat?</p> <p>7 CHAIRMAN AIZENSTAT: No.</p> <p>8 MR. LEEN: Mr. Chair?</p> <p>9 CHAIRMAN AIZENSTAT: Yes.</p> <p>10 MR. LEEN: One other -- one other issue. I</p> <p>11 do think it would be useful for the City</p> <p>12 Commission to know which of the six factors you</p> <p>13 have found. I understand that that's not on</p> <p>14 the agenda, but in preparing the report to</p> <p>15 them, what is the additional factor you have</p> <p>16 found? I think that would be useful.</p> <p>17 CHAIRMAN AIZENSTAT: The additional factor</p> <p>18 out of the six?</p> <p>19 MR. LEEN: Well, since you have to find</p> <p>20 four out of the six.</p> <p>21 CHAIRMAN AIZENSTAT: You would have to ask</p> <p>22 the people that voted yes, because -- for</p> <p>23 example, myself, I did not find that they met</p> <p>24 the criteria.</p> <p>25 MR. LEEN: I understand.</p>
<p style="text-align: right;">Page 118</p> <p>1 MS. MENENDEZ: Maria Menendez?</p> <p>2 MS. ALBERRO MENENDEZ: No.</p> <p>3 MS. MENENDEZ: Alberto Perez?</p> <p>4 MR. PEREZ: Yes.</p> <p>5 MS. MENENDEZ: Marshall Bellin?</p> <p>6 MR. BELLIN: Yes.</p> <p>7 MS. MENENDEZ: Jeff Flanagan?</p> <p>8 MR. FLANAGAN: Yes.</p> <p>9 MS. MENENDEZ: Julio Grabiell?</p> <p>10 MR. GRABIEL: Yes.</p> <p>11 MS. MENENDEZ: Eibi Aizenstat?</p> <p>12 CHAIRMAN AIZENSTAT: No.</p> <p>13 And the third item, which is for the</p> <p>14 site-specific regulation for the text</p> <p>15 amendment. Marshall, since you're on a roll?</p> <p>16 MR. BELLIN: I move for approval.</p> <p>17 MR. PEREZ: I'll second.</p> <p>18 CHAIRMAN AIZENSTAT: A first and second.</p> <p>19 Any questions, any comments? No?</p> <p>20 Call the roll, please.</p> <p>21 MS. MENENDEZ: Alberto Perez?</p> <p>22 MR. PEREZ: Yes.</p> <p>23 MS. MENENDEZ: Marshall Bellin?</p> <p>24 MR. BELLIN: Yes.</p> <p>25 MS. MENENDEZ: Jeff Flanagan?</p>	<p style="text-align: right;">Page 120</p> <p>1 CHAIRMAN AIZENSTAT: And I did it strictly</p> <p>2 on that. So you would have to poll the</p> <p>3 individuals that said yes.</p> <p>4 MR. BELLIN: I agree with the Staff --</p> <p>5 MR. LEEN: That's fine. It's perfectly</p> <p>6 legal to do it that way. I didn't think that</p> <p>7 there was necessarily disagreement over what</p> <p>8 the fourth one was, but maybe there is.</p> <p>9 MR. BELLIN: I agree with Staff on three,</p> <p>10 and disagree on four, I think it is, with</p> <p>11 respect to the definition of building. If they</p> <p>12 didn't want it in there, they would have taken</p> <p>13 it out. They had many, many opportunities to</p> <p>14 do that, and never did. So they wanted it</p> <p>15 there for a reason.</p> <p>16 MR. LEEN: Okay.</p> <p>17 CHAIRMAN AIZENSTAT: Does that satisfy it</p> <p>18 for Marshall?</p> <p>19 And your reason, which was the --</p> <p>20 MR. PEREZ: I -- my opinion, I believe that</p> <p>21 they abide by five of the six, personally.</p> <p>22 CHAIRMAN AIZENSTAT: Which one did you</p> <p>23 believe that they did not abide by?</p> <p>24 MR. PEREZ: The last one, because it had</p> <p>25 been acquired in 1980, but I personally believe</p>

<p style="text-align: right;">Page 121</p> <p>1 they abide by five out of six.</p> <p>2 CHAIRMAN AIZENSTAT: Does that satisfy</p> <p>3 your --</p> <p>4 MR. LEEN: Yes. Yes, that's useful to</p> <p>5 know.</p> <p>6 CHAIRMAN AIZENSTAT: Mr. Flanagan?</p> <p>7 MR. FLANAGAN: I agree with Staff except as</p> <p>8 to Number 4.</p> <p>9 CHAIRMAN AIZENSTAT: Okay. Julio?</p> <p>10 MR. GRABIEL: The same for me.</p> <p>11 CHAIRMAN AIZENSTAT: Okay.</p> <p>12 MR. FLANAGAN: Before we grant them, I'm</p> <p>13 sorry, I forgot this comment. It doesn't</p> <p>14 impact on my analysis, but just before it goes</p> <p>15 to the Commission, my math calculations, Ramon,</p> <p>16 come out differently than what's in the report,</p> <p>17 as far as the size of the lots in square</p> <p>18 footage and what would be allowed for square</p> <p>19 footage of buildings. I just would request</p> <p>20 that that be reviewed.</p> <p>21 MR. TRIAS: And that's a critical issue</p> <p>22 because of the condition that Mr. Bellin</p> <p>23 proposed, so thank you.</p> <p>24 MR. BELLIN: I think one of the problems</p> <p>25 is -- I'll address this to you, Richard. The</p>	<p style="text-align: right;">Page 123</p> <p>1 CHAIRMAN AIZENSTAT: Thank you. That item</p> <p>2 is done.</p> <p>3 MR. GUILFORD: Mr. Chairman, Members of the</p> <p>4 Board, we thank you for taking the time to</p> <p>5 listen to us, and may each and every one of you</p> <p>6 have a happy holiday and safe holiday, as well.</p> <p>7 Thank you.</p> <p>8 MR. HEISENBOTTLE: Thank you all very much.</p> <p>9 CHAIRMAN AIZENSTAT: Thank you.</p> <p>10 Let's take just a five-minute recess, while</p> <p>11 it clears up, and then we'll continue.</p> <p>12 (Thereupon, a brief recess was taken.)</p> <p>13 CHAIRMAN AIZENSTAT: All right, we're going</p> <p>14 to continue with the meeting. A couple of</p> <p>15 items. First, I'd like to welcome with us here</p> <p>16 today Jane Tompkins, the Development Services</p> <p>17 Director, and Charles Wu -- I think you're new</p> <p>18 to the City -- the Assistant Development</p> <p>19 Services Director. Would you just like to take</p> <p>20 a moment and tell us a little bit about</p> <p>21 yourself, since we haven't met you before?</p> <p>22 Thank you.</p> <p>23 MS. ALBERRO MENENDEZ: Well, we know Jane.</p> <p>24 CHAIRMAN AIZENSTAT: Well, Jane, yes.</p> <p>25 MS. TOMPKINS: Of course, you know me, but</p>
<p style="text-align: right;">Page 122</p> <p>1 calculation for the FAR is incorrect. You've</p> <p>2 got 45 percent of the first 5,000 square feet,</p> <p>3 and it's 48 percent.</p> <p>4 MR. HEISENBOTTLE: We'll go back and look</p> <p>5 at that --</p> <p>6 MR. BELLIN: Okay.</p> <p>7 MR. HEISENBOTTLE: -- and correct it for</p> <p>8 the Commission.</p> <p>9 MR. BELLIN: Okay.</p> <p>10 MR. LEEN: One other issue for the Planning</p> <p>11 and Zoning Director. I noticed on three,</p> <p>12 Number 3, that amends the site-specific</p> <p>13 regulations, are you recommending that the FAR</p> <p>14 limitation be put into the site-specific</p> <p>15 regulations?</p> <p>16 MR. TRIAS: I think that's the cleanest way</p> <p>17 to do it, if it's legal to do it that way.</p> <p>18 MR. LEEN: Okay.</p> <p>19 MR. TRIAS: Yes.</p> <p>20 MR. LEEN: We would likely include that as</p> <p>21 part of the recommendation for three, unless</p> <p>22 there's some dissent from the Board.</p> <p>23 CHAIRMAN AIZENSTAT: Is there any dissent?</p> <p>24 No, that's fine.</p> <p>25 MR. LEEN: Thank you.</p>	<p style="text-align: right;">Page 124</p> <p>1 we have a couple of new members.</p> <p>2 Good evening. Jane Tompkins. I'm the</p> <p>3 Development Services Director. It's a pleasure</p> <p>4 to be here with you tonight. I've been with</p> <p>5 the City now for a little over two years. I'm</p> <p>6 originally from the Midwest, but very happy to</p> <p>7 be in South Florida and working for the City</p> <p>8 Beautiful. We have a great Staff here, great</p> <p>9 boards and committees like yourselves, and</p> <p>10 we're just doing our best to really make this</p> <p>11 the City Beautiful. Thank you.</p> <p>12 CHAIRMAN AIZENSTAT: Thank you.</p> <p>13 Charles? Put you on the hot seat.</p> <p>14 MR. WU: Thank you. For the record,</p> <p>15 Charles Wu. I've been working in South Florida</p> <p>16 for 25 years; 18 years, City of West Palm</p> <p>17 Beach, five years, City of Palm Beach Gardens,</p> <p>18 both jurisdictions as Planning Director. I'm</p> <p>19 glad to be here.</p> <p>20 CHAIRMAN AIZENSTAT: Thank you and welcome.</p> <p>21 MR. WU: Thank you.</p> <p>22 MS. ALBERRO MENENDEZ: Welcome.</p> <p>23 CHAIRMAN AIZENSTAT: Okay, the next item on</p> <p>24 the agenda, I think we need to go ahead and put</p> <p>25 in nominations, first for Chair and Vice-Chair</p>

<p style="text-align: right;">Page 125</p> <p>1 of the Board. This is something we were 2 putting off because we did not have a full 3 Board. Seeing that we have the members here 4 today, are there any motions or -- 5 MR. GRABIEL: I'd like to move to keep the 6 Chair and the Vice-Chair exactly as they are. 7 CHAIRMAN AIZENSTAT: Thank you. 8 MS. ALBERRO MENENDEZ: Who's the 9 Vice-Chair? I don't know. 10 CHAIRMAN AIZENSTAT: Jeff. 11 MS. ALBERRO MENENDEZ: Jeff. I agree. I 12 second that motion. 13 CHAIRMAN AIZENSTAT: So there's a motion 14 for Eibi, and for Jeff as Vice-Chair. Is there 15 a second? We have a second. 16 MS. ALBERRO MENENDEZ: I seconded. 17 CHAIRMAN AIZENSTAT: Any other comments, 18 questions? 19 Would you call the roll, please? 20 MS. MENENDEZ: Marshall Bellin? 21 MR. BELLIN: Yes. 22 MS. MENENDEZ: Jeff Flanagan? 23 MR. FLANAGAN: Yes. 24 MS. MENENDEZ: Julio Grabiell? 25 MR. GRABIEL: Yes.</p>	<p style="text-align: right;">Page 127</p> <p>1 Julio, would you -- 2 MR. GRABIEL: Start? Yes. 3 CHAIRMAN AIZENSTAT: Let's take it from the 4 right to the left. 5 MR. GRABIEL: I've nominated Mr. Sanabria. 6 Gonzalo, I've known Gonzalo for a long time. 7 He's a member of the City of Coral Gables. I 8 think he brings, also, the advantage of having 9 been with the Miami-Dade Planning Advisory 10 Board, which is -- It's a different body 11 altogether looking, but what they look at, I 12 think, is -- we might be able to learn from his 13 experience there. And I've talked to him and 14 he's very much -- would very like to become 15 part of this Board. He is here, and maybe at 16 the end, after every member has talked, maybe 17 he has the opportunity to say a few words. 18 CHAIRMAN AIZENSTAT: Well, if you'd like 19 to -- It's a little different, but if you'd 20 like to just say -- if you'd just tell us a 21 little bit about yourself, since you're the 22 only person that's here. 23 MR. SANABRIA: I'd be happy to wait until 24 you all go through your nominations, and I 25 would like to talk.</p>
<p style="text-align: right;">Page 126</p> <p>1 MS. MENENDEZ: Maria Menendez? 2 MS. ALBERRO MENENDEZ: Yes. 3 MS. MENENDEZ: Albert Perez? 4 MR. PEREZ: Yes. 5 MS. MENENDEZ: Eibi Aizenstat? 6 CHAIRMAN AIZENSTAT: Yes. And thank you 7 very much for entrusting that in us. 8 MR. BELLIN: Do we do this again next year? 9 CHAIRMAN AIZENSTAT: Every year. 10 MR. BELLIN: Okay, good. 11 CHAIRMAN AIZENSTAT: The next item on the 12 agenda is the election or the appointment of a 13 Planning and Zoning Board member, which also 14 requires City Commission confirmation after the 15 Board appointment. 16 Everybody has gone ahead and received -- 17 There are three individuals whose names have 18 been put in by different Board members. What 19 I'd like to do, at this point, if we can, is 20 have each individual Board member just announce 21 who they would like to nominate, and we'll take 22 it from there. This is a little bit different 23 process. In the past, we have not had three 24 different Board members that have been 25 nominated, so we'll see how it goes.</p>	<p style="text-align: right;">Page 128</p> <p>1 CHAIRMAN AIZENSTAT: It's best if you do it 2 right now, I think. 3 MR. SANABRIA: You'd rather do that? 4 CHAIRMAN AIZENSTAT: Yes. 5 MR. SANABRIA: Okay. Thank you. 6 MR. BELLIN: Maybe -- 7 CHAIRMAN AIZENSTAT: Yes, go ahead. 8 MR. BELLIN: I think it's a little 9 unfair -- 10 CHAIRMAN AIZENSTAT: Okay. 11 MR. BELLIN: -- because there's only one 12 member who was nominated, and I guess the other 13 two were not notified or didn't know -- 14 MS. ALBERRO MENENDEZ: No, they weren't 15 asked to come. 16 MR. BELLIN: Well, none of them were asked 17 to come. 18 CHAIRMAN AIZENSTAT: None of them were 19 asked to come. 20 MR. BELLIN: I think, you know, maybe we 21 need to make a decision, and I don't want to 22 say anything about Mr. Sanabria, I really don't 23 know him very well, but I think either 24 everybody has the opportunity to say something 25 or nobody does.</p>

<p style="text-align: right;">Page 129</p> <p>1 CHAIRMAN AIZENSTAT: It does make sense, 2 what he is proposing. How does the Board feel? 3 Maria? 4 MS. ALBERRO MENENDEZ: I'm fine about it. 5 I understand what he's trying to say. 6 CHAIRMAN AIZENSTAT: I would ask the other 7 people that have nominated somebody, so how do 8 you feel about it? 9 MR. PEREZ: I agree with Marshall's 10 position. I mean, out of all fairness, I 11 believe the other -- 12 MR. SANABRIA: I think that -- 13 CHAIRMAN AIZENSTAT: Excuse me, please. 14 MR. SANABRIA: I think they know. They 15 knew about the meeting as well as I did. I 16 wouldn't do it -- 17 CHAIRMAN AIZENSTAT: I know, but I think 18 it's a decision that the Board really needs to 19 take. I think it would be fair that -- let the 20 person that brought you, let him just tell us 21 about what you did. I think it would be just, 22 at this point. I mean, there are some 23 objections from other members. Nobody was 24 asked to come. Like I said, it is unusual. We 25 have not had anybody before come and speak</p>	<p style="text-align: right;">Page 131</p> <p>1 the Board -- all those nominees come up and 2 speak. 3 MR. SANABRIA: I'd be happy to waive that 4 request to speak, if you're ready to make a 5 decision, yes, sir. 6 CHAIRMAN AIZENSTAT: Yes, we're just trying 7 to keep it all -- Now, like I said, I do want 8 to put out to the Board that if the Board would 9 like to put this off to the next meeting, so 10 that the other nominees are here to present 11 themselves, we can do that. If the Board feels 12 comfortable going at it without that, we can do 13 that, also. I'd like to get a feel of the 14 Board. 15 MR. BELLIN: I would prefer to take a vote 16 now. 17 CHAIRMAN AIZENSTAT: Okay. 18 MR. BELLIN: Based on the information that 19 we have. 20 CHAIRMAN AIZENSTAT: Okay. 21 MR. GRABIEL: I do, too. 22 CHAIRMAN AIZENSTAT: So Julio -- 23 MR. GRABIEL: I think we've been a long 24 time missing one member, and we still -- it 25 still has to go through the City Commission for</p>
<p style="text-align: right;">Page 130</p> <p>1 before us when they've been nominated or so 2 forth, so it is unusual. 3 For right now, unless -- If you guys want 4 to put off this vote for the next meeting, I 5 mean, I will entertain that, if you want to put 6 off this -- 7 MR. PEREZ: I mean, again, that might be a 8 wise idea. 9 CHAIRMAN AIZENSTAT: That's why I'm just 10 asking. If you would like to -- 11 MS. ALBERRO MENENDEZ: Let me ask -- I'm 12 sorry to interrupt you, but do we want the ones 13 who were nominated to come and then say -- you 14 know, I mean -- 15 CHAIRMAN AIZENSTAT: Well, I think that's 16 why we have the resumes of the individuals. 17 MS. ALBERRO MENENDEZ: Right. 18 CHAIRMAN AIZENSTAT: And for me, I am 19 satisfied having the resume of the individual, 20 reading it and making a decision based upon 21 that, for me. 22 MS. ALBERRO MENENDEZ: For me, that -- 23 CHAIRMAN AIZENSTAT: If other Board members 24 would like to have their nominees come and 25 speak, then it should be fair that we have all</p>	<p style="text-align: right;">Page 132</p> <p>1 approval. 2 CHAIRMAN AIZENSTAT: I understand. 3 MR. GRABIEL: And I think it's important 4 that we -- 5 CHAIRMAN AIZENSTAT: Maria, how do you 6 feel? 7 MS. ALBERRO MENENDEZ: I agree. I agree. 8 CHAIRMAN AIZENSTAT: Jeffrey? 9 MR. FLANAGAN: That's fine. 10 CHAIRMAN AIZENSTAT: Okay, so -- 11 MR. LEEN: Mr. Chair? 12 CHAIRMAN AIZENSTAT: Yes, please. 13 MR. LEEN: There is a statute that was 14 passed recently that does say that if he wishes 15 to speak, he has the right to speak. 16 CHAIRMAN AIZENSTAT: Okay, so -- 17 MR. LEEN: You may want to -- and I did ask 18 him, and he said that he wants to speak. 19 CHAIRMAN AIZENSTAT: Okay, so -- 20 MS. ALBERRO MENENDEZ: Let him speak. 21 CHAIRMAN AIZENSTAT: Is everybody okay with 22 that? Do we want to invite all the other 23 nominees? I just want to be fair to everybody. 24 MS. ALBERRO MENENDEZ: I think, given that 25 he has come, just let him. I would have no</p>

<p style="text-align: right;">Page 133</p> <p>1 problem with it.</p> <p>2 MR. PEREZ: I agree with Maria.</p> <p>3 CHAIRMAN AIZENSTAT: Thank you. I just</p> <p>4 want to be fair with everybody.</p> <p>5 MR. SANABRIA: I understand, and I</p> <p>6 appreciate it.</p> <p>7 CHAIRMAN AIZENSTAT: Because this would be</p> <p>8 a decision from the Board as a whole.</p> <p>9 MR. SANABRIA: That's fine. That's fine.</p> <p>10 I'd like to go over a few things, okay? My</p> <p>11 credentials, I'm an economist. I served as</p> <p>12 senior vice-president of Coldwell Banker</p> <p>13 Commercial Real Estate. I've been in land use</p> <p>14 and development since 1972, fresh out of</p> <p>15 college. I've served for 19 straight years in</p> <p>16 the Planning Advisory Board of Dade County.</p> <p>17 For five consecutive years by unanimous vote, I</p> <p>18 served as Chairman. We implemented some very</p> <p>19 ingenious rules that are still in effect today.</p> <p>20 I'll tell you about some of them. We wouldn't</p> <p>21 allow a school near the UDB borders. We</p> <p>22 undersized the water and sewer lines near the</p> <p>23 UDB, to discourage development. We established</p> <p>24 concurrency regulations for traffic and also</p> <p>25 for schools. A level of traffic arose; if they</p>	<p style="text-align: right;">Page 135</p> <p>1 the Save our Matheson Hammock Project, and we</p> <p>2 were able to prevail after so many years of</p> <p>3 fighting it.</p> <p>4 I also got involved as a citizen with</p> <p>5 Gulliver Schools. Eric Riel knows about that.</p> <p>6 We fought that for three years. We finally</p> <p>7 came to a compromise, and we worked it out.</p> <p>8 I'm also the former Chairman of Doctors</p> <p>9 Hospital, and where we came up with an</p> <p>10 innovation on the emergency room area, where we</p> <p>11 increased it by 23 beds. I don't know if</p> <p>12 you've ever been to the emergency room doctors,</p> <p>13 but it used to be a crazy house. Now, thank</p> <p>14 God, it's a very well thought out and modern</p> <p>15 facility.</p> <p>16 I have a vision for Coral Gables. I think</p> <p>17 that Coral Gables can increase its commercial</p> <p>18 tax base and can also look at annexation and</p> <p>19 some creative ways to tweak some of the zoning</p> <p>20 codes that it has.</p> <p>21 So I would love to be considered to be part</p> <p>22 of your Board, and I would appreciate your</p> <p>23 vote. Thank you.</p> <p>24 CHAIRMAN AIZENSTAT: Thank you.</p> <p>25 MR. BELLIN: Eibi, can you explain the</p>
<p style="text-align: right;">Page 134</p> <p>1 were F, you couldn't sustain any more</p> <p>2 development. We also came up with the</p> <p>3 traditional neighborhood development scheme,</p> <p>4 which is known today more into the mixed use,</p> <p>5 and we also did the infill criteria that has</p> <p>6 spurred the development you see east of 27th</p> <p>7 Avenue in the County.</p> <p>8 I also served in the Miami-Dade Expressway</p> <p>9 Authority, with a number of duties. Some of</p> <p>10 the things that I had planned under my</p> <p>11 responsibility, for example, that loop on the</p> <p>12 Palmetto and 836. That's some of the things</p> <p>13 that we did. I just negotiated with FDOT on</p> <p>14 behalf of the Authority, the Miami Intermodal</p> <p>15 Center, which is -- you know where the rental</p> <p>16 car facility is? Okay, well, we're doing a one</p> <p>17 point four hundred thousand -- 1,400,000 square</p> <p>18 feet of development there, and it's a PP3 --</p> <p>19 it's a PP3 or public partnership development.</p> <p>20 My track record in this City is well known.</p> <p>21 I served on the Historic Preservation Board.</p> <p>22 Back in 2009, when I was on the Board, there</p> <p>23 was some controversy on Matheson Hammock, in</p> <p>24 which development of Matheson Hammock was going</p> <p>25 to take place, and after that time we started</p>	<p style="text-align: right;">Page 136</p> <p>1 mechanism for how this takes place, because I</p> <p>2 don't have a clue.</p> <p>3 CHAIRMAN AIZENSTAT: This is actually the</p> <p>4 first time we've had three candidates. I</p> <p>5 think --</p> <p>6 MS. ALBERRO MENENDEZ: Let's take a vote,</p> <p>7 whichever way you want. I mean, Craig, you can</p> <p>8 correct me if I'm wrong.</p> <p>9 CHAIRMAN AIZENSTAT: What I'd like to do</p> <p>10 first is, each person just tell us a little bit</p> <p>11 about the person that they want to nominate.</p> <p>12 Julio just did, on the gentleman.</p> <p>13 Maria, you nominated somebody.</p> <p>14 MS. ALBERRO MENENDEZ: Yes.</p> <p>15 CHAIRMAN AIZENSTAT: If you could tell us</p> <p>16 about that person, also.</p> <p>17 MS. ALBERRO MENENDEZ: Absolutely.</p> <p>18 CHAIRMAN AIZENSTAT: Thank you.</p> <p>19 MS. ALBERRO MENENDEZ: When I was first</p> <p>20 appointed to the Board, the Planning Department</p> <p>21 mentioned to me that we needed -- or we didn't</p> <p>22 need to, but if I was interested in nominating</p> <p>23 someone as the seventh member, and I gave it a</p> <p>24 lot of thought and the first one that came to</p> <p>25 my mind was Mr. Felix Pardo. I think most of</p>

<p style="text-align: right;">Page 137</p> <p>1 us know Felix. He's been around for a long 2 time. He's been in the profession. He's an 3 architect. He's practiced architecture for 4 over 30 years. He's been Chairman of this 5 Board. He served on this Board, as well as 6 other Boards, in a voluntary capacity, of 7 course, and he's a very respected individual, 8 and I think that our Board would benefit from 9 his knowledge of our Zoning Code and our 10 Planning Code, and therefore, I put in his 11 nomination, and I hope the Board will also 12 consider him. Thank you.</p> <p>13 CHAIRMAN AIZENSTAT: Okay, thank you.</p> <p>14 Albert, You have somebody else that you 15 nominated?</p> <p>16 MR. PEREZ: Yes. After learning of the 17 opportunity to nominate a potential candidate, 18 I, as well, for quite a while, thought of who 19 to nominate. At one point, I wasn't going to 20 nominate anybody, but after further thought, 21 the person that I chose to nominate is an 22 individual who has served on the Variance Board 23 in the City of Coral Gables for quite a while. 24 He's been a resident, long-standing resident of 25 Coral Gables for over 20 years. I elected to</p>	<p style="text-align: right;">Page 139</p> <p>1 just do it until you get a majority for one of 2 them, or you could have each person state who 3 they would like, publicly, and then you could 4 see if one has a majority and then you could 5 make a motion for that person.</p> <p>6 MR. BELLIN: I don't see how those can 7 work.</p> <p>8 CHAIRMAN AIZENSTAT: Yeah. Do we have to 9 do it that way?</p> <p>10 MR. LEEN: Yes, you --</p> <p>11 MS. ALBERRO MENENDEZ: You can also -- 12 Correct me if I'm wrong. You can also do a 13 little ballot where everybody puts the name and 14 then she reads it.</p> <p>15 MR. LEEN: She can read the votes.</p> <p>16 MS. ALBERRO MENENDEZ: And then she reads 17 the votes, and then whoever has the majority 18 would win. I mean, we can do a secret ballot.</p> <p>19 CHAIRMAN AIZENSTAT: Well, I don't know if 20 you can do a secret ballot.</p> <p>21 MR. LEEN: I wouldn't do a secret ballot.</p> <p>22 MS. ALBERRO MENENDEZ: No?</p> <p>23 MR. LEEN: No.</p> <p>24 MR. BELLIN: The problem I see is, we 25 pretty much know how you're going to vote. We</p>
<p style="text-align: right;">Page 138</p> <p>1 put Mr. Tony Bello's name into the nomination 2 list, I've known him to be an established 3 businessman, and I believe he will add a 4 substantial amount of value to the Board.</p> <p>5 CHAIRMAN AIZENSTAT: Okay, thank you.</p> <p>6 Is there any discussion that anybody would 7 like to have about the process or any of these 8 individuals, or any suggestions?</p> <p>9 MR. GRABIEL: I think the fairest way of 10 doing it would be that each one -- Well, 11 there's three votes already for three 12 individuals, so the rest of the Board 13 members --</p> <p>14 CHAIRMAN AIZENSTAT: Right.</p> <p>15 MR. GRABIEL: -- who have not put in or who 16 have not voted --</p> <p>17 CHAIRMAN AIZENSTAT: Right, well, what 18 we'll do is, we'll have the secretary call the 19 roll and I guess state the name of the 20 individual that you would like? How do you 21 suggest --</p> <p>22 MR. LEEN: Well, normally, if you do a 23 motion, it should be yes/no. I would -- You 24 can do one of two things. You could have 25 someone make a motion for one of the three and</p>	<p style="text-align: right;">Page 140</p> <p>1 know how Maria is going to vote. We know how 2 Albert is going to vote. So how can anybody 3 win?</p> <p>4 MS. ALBERRO MENENDEZ: It's up to you 5 three.</p> <p>6 MR. TRIAS: Is there a second for any of 7 those three?</p> <p>8 CHAIRMAN AIZENSTAT: Well, to me, I think 9 the best way to do it, to be honest with you, 10 is to call the roll.</p> <p>11 MS. ALBERRO MENENDEZ: On each one?</p> <p>12 CHAIRMAN AIZENSTAT: No, I would have each 13 member -- I would have Jill call the roll, and 14 the Board member will say the name of one of 15 the three that they would like to vote for, and 16 whoever has the majority out of -- we have one, 17 two, three, four, five, six votes -- that's who 18 we nominate, as a Board.</p> <p>19 MS. ALBERRO MENENDEZ: Right. If there's 20 one that's absolutely --</p> <p>21 CHAIRMAN AIZENSTAT: If there's a tie --</p> <p>22 MS. ALBERRO MENENDEZ: -- out because 23 there's only one vote, then maybe we can focus 24 in on the two that's left, et cetera, et 25 cetera.</p>

<p style="text-align: right;">Page 141</p> <p>1 CHAIRMAN AIZENSTAT: Unless -- unless 2 one -- 3 MS. ALBERRO MENENDEZ: One gets all the 4 votes. 5 CHAIRMAN AIZENSTAT: Well, assume one gets 6 a four to two -- 7 MS. ALBERRO MENENDEZ: Right. 8 CHAIRMAN AIZENSTAT: -- then that person is 9 in. 10 MS. ALBERRO MENENDEZ: Exactly. 11 MR. BELLIN: Yeah. 12 CHAIRMAN AIZENSTAT: If a person gets a 13 three to three, then we take those two and we 14 do it again. 15 MS. ALBERRO MENENDEZ: Right. Is that 16 acceptable? 17 MR. LEEN: That is legal, but you should 18 do -- That's perfectly fine, but you should do 19 a motion at the end. 20 MS. ALBERRO MENENDEZ: Yes. 21 MR. LEEN: Whoever you choose. 22 CHAIRMAN AIZENSTAT: At the end, once we 23 choose, I agree with that. 24 MR. LEEN: But you could do it that way. 25 CHAIRMAN AIZENSTAT: I think that's our</p>	<p style="text-align: right;">Page 143</p> <p>1 MR. FLANAGAN: It's three to two. 2 MR. GRABIEL: Three, two, one. 3 MS. MENENDEZ: Bello has three. 4 MR. FLANAGAN: Sanabria has two, Pardo one. 5 MR. LEEN: So, at this point, you could 6 talk about the two -- the two who have received 7 the most votes. You could find out who, for 8 example, Maria would vote for among those two, 9 or you don't have to do that. You could 10 discuss it. 11 CHAIRMAN AIZENSTAT: You know, but I think 12 we -- 13 MS. ALBERRO MENENDEZ: It's three-two now? 14 CHAIRMAN AIZENSTAT: Three-two. 15 MS. ALBERRO MENENDEZ: It's three to two? 16 CHAIRMAN AIZENSTAT: Three, two, one. 17 MR. BELLIN: Three, two, and -- 18 MS. ALBERRO MENENDEZ: It's three, two, 19 one. 20 MR. BELLIN: Three, two, one. 21 MS. ALBERRO MENENDEZ: So I can either tie 22 it -- You don't want me to vote, right? 23 CHAIRMAN AIZENSTAT: No, you have to vote. 24 You have to vote. 25 MS. ALBERRO MENENDEZ: No, eventually I'll</p>
<p style="text-align: right;">Page 142</p> <p>1 best way of doing it. 2 Okay, so we have three names that are up. 3 Call the roll, please. 4 MS. MENENDEZ: I will call each individual 5 name? 6 CHAIRMAN AIZENSTAT: Yes, please. 7 MS. MENENDEZ: Or each Board member? 8 CHAIRMAN AIZENSTAT: No, no -- 9 MS. ALBERRO MENENDEZ: The members. 10 CHAIRMAN AIZENSTAT: The members. 11 MS. MENENDEZ: Okay. Julio Grabiell? 12 MR. GRABIEL: Sanabria. 13 MS. MENENDEZ: Maria Menendez? 14 MS. ALBERRO MENENDEZ: Mr. Felix Pardo. 15 MS. MENENDEZ: Alberto Perez? 16 MR. PEREZ: Tony Bello. 17 MS. MENENDEZ: Marshall Bellin? 18 MR. BELLIN: Tony Bello. 19 MS. MENENDEZ: Jeff Flanagan? 20 MR. FLANAGAN: Tony Bello. 21 MS. MENENDEZ: Eibi Aizenstat? 22 CHAIRMAN AIZENSTAT: Sanabria. So the vote 23 is four to two? 24 MS. ALBERRO MENENDEZ: No, actually, 25 it's --</p>	<p style="text-align: right;">Page 144</p> <p>1 vote for whoever the majority gets, absolutely. 2 CHAIRMAN AIZENSTAT: Well, no, if we're 3 going to call another roll, you've got to -- 4 See, we have three -- One person is out. 5 There's one support for one individual. We 6 have two individuals left. So either the 7 person who got the most votes, we see if 8 there's a motion to put that person in, we call 9 the roll. I think that's what we should do, 10 and if we don't have a majority to put that 11 person in, then we have to go between the two 12 people and see that we have somebody. Do you 13 agree with that? 14 MS. ALBERRO MENENDEZ: Yeah, I don't have a 15 problem with that. 16 Do you have a problem with that? 17 CHAIRMAN AIZENSTAT: Are we okay, Mr. City 18 Attorney? 19 MR. LEEN: That would be fine. You can 20 move the -- 21 CHAIRMAN AIZENSTAT: So would you like to 22 make a motion? 23 MR. PEREZ: I would like to make a motion 24 to nominate Tony Bello. 25 MR. BELLIN: I will second it.</p>

<p style="text-align: right;">Page 145</p> <p>1 CHAIRMAN AIZENSTAT: Call the roll, please.</p> <p>2 MS. MENENDEZ: Maria Menendez?</p> <p>3 MS. ALBERRO MENENDEZ: No.</p> <p>4 MS. MENENDEZ: Alberto Perez?</p> <p>5 MR. PEREZ: Yes.</p> <p>6 MS. MENENDEZ: Marshall Bellin?</p> <p>7 MR. BELLIN: Yes.</p> <p>8 MS. MENENDEZ: Jeff Flanagan?</p> <p>9 MR. FLANAGAN: Yes.</p> <p>10 MS. MENENDEZ: Julio Grabiell?</p> <p>11 MR. GRABIEL: No.</p> <p>12 MS. MENENDEZ: Eibi Aizenstat?</p> <p>13 CHAIRMAN AIZENSTAT: No.</p> <p>14 MS. MENENDEZ: Three-three.</p> <p>15 CHAIRMAN AIZENSTAT: Okay. So we're down</p> <p>16 to two candidates.</p> <p>17 MR. GRABIEL: That's why we need the</p> <p>18 seventh.</p> <p>19 MS. ALBERRO MENENDEZ: That's what I was --</p> <p>20 MR. GRABIEL: That's why we need the</p> <p>21 seventh member.</p> <p>22 MS. ALBERRO MENENDEZ: That's why we need</p> <p>23 the seventh.</p> <p>24 MR. PEREZ: So what happens now?</p> <p>25 CHAIRMAN AIZENSTAT: Mr. City Attorney, how</p>	<p style="text-align: right;">Page 147</p> <p>1 I mean, that's --</p> <p>2 MS. ALBERRO MENENDEZ: If that's what you</p> <p>3 guys want to do, that's fine.</p> <p>4 MR. BELLIN: No, that's what we have to do.</p> <p>5 CHAIRMAN AIZENSTAT: Yeah, by Code, he's</p> <p>6 telling us that that's what --</p> <p>7 MR. TRIAS: Yeah, and maybe the City</p> <p>8 Attorney can review that, and make sure.</p> <p>9 MR. LEEN: Only if you don't agree. I</p> <p>10 mean, you could talk more and one could change</p> <p>11 their vote.</p> <p>12 CHAIRMAN AIZENSTAT: I mean, I like the</p> <p>13 fact that everybody gave their vote and -- It</p> <p>14 is the Commission that can put an individual on</p> <p>15 the Board, because either way, whoever we</p> <p>16 choose has to go before the Commission for a</p> <p>17 vote. They have the last say. And they know</p> <p>18 that we have a deadlock of three-three on two</p> <p>19 individuals that are -- that we propose.</p> <p>20 MR. LEEN: See, the way I would interpret</p> <p>21 this is that you should make the decision,</p> <p>22 whether you do this as a final vote. If you</p> <p>23 finally agree, it's your final decision you</p> <p>24 can't reach agreement, there's a 30-day waiting</p> <p>25 period and it goes to the Commission. You</p>
<p style="text-align: right;">Page 146</p> <p>1 do you suggest?</p> <p>2 MR. LEEN: Well, you could discuss it more.</p> <p>3 You could continue it to the next meeting,</p> <p>4 which is generally what the Code requires, and</p> <p>5 discuss it more then. I could -- You know, the</p> <p>6 other thing you could do is, you could send</p> <p>7 both names and let the Commission choose, but</p> <p>8 I'd be concerned about that, because I wouldn't</p> <p>9 want the Board to lose its opportunity to</p> <p>10 choose one, which is your prerogative.</p> <p>11 MR. TRIAS: What the Code says is that if</p> <p>12 the six members shall fail to agree on the</p> <p>13 seventh member, such member shall be then</p> <p>14 nominated by the City Commission after a 30-day</p> <p>15 waiting period. That's from the Code.</p> <p>16 CHAIRMAN AIZENSTAT: I would suggest we do</p> <p>17 that.</p> <p>18 MS. ALBERRO MENENDEZ: So, then, should we</p> <p>19 wait for the next month?</p> <p>20 CHAIRMAN AIZENSTAT: Well, no, what it</p> <p>21 means is, we send both members to the City</p> <p>22 Commission and let them nominate an individual,</p> <p>23 by Code.</p> <p>24 MR. TRIAS: Right, yes.</p> <p>25 CHAIRMAN AIZENSTAT: I think that's fine.</p>	<p style="text-align: right;">Page 148</p> <p>1 could, for example, send it to the next meeting</p> <p>2 and have them come and consider it more, or you</p> <p>3 could consider another applicant, as well.</p> <p>4 MS. ALBERRO MENENDEZ: I don't know --</p> <p>5 MR. LEEN: Or you could just send it to the</p> <p>6 Commission, the Commission nominates it, which</p> <p>7 means ultimately they don't have to choose</p> <p>8 either of your two people. Just understand</p> <p>9 that.</p> <p>10 CHAIRMAN AIZENSTAT: They could choose a</p> <p>11 different person.</p> <p>12 MR. LEEN: Yes, they could choose a</p> <p>13 different one.</p> <p>14 MS. ALBERRO MENENDEZ: I prefer we choose</p> <p>15 it.</p> <p>16 CHAIRMAN AIZENSTAT: Well, let me ask you a</p> <p>17 question. Today, are you going to change your</p> <p>18 vote?</p> <p>19 MS. ALBERRO MENENDEZ: No, because I don't</p> <p>20 know this individual.</p> <p>21 CHAIRMAN AIZENSTAT: Okay. So, then, maybe</p> <p>22 we defer it to the next meeting and we ask both</p> <p>23 individuals to come in.</p> <p>24 MS. ALBERRO MENENDEZ: That's fine. I have</p> <p>25 no problem with that.</p>

<p style="text-align: right;">Page 149</p> <p>1 MR. PEREZ: I'm okay with that.</p> <p>2 MS. ALBERRO MENENDEZ: Let's do that.</p> <p>3 CHAIRMAN AIZENSTAT: Is everybody okay with</p> <p>4 that? Do we need a motion for that?</p> <p>5 MR. LEEN: I would -- Well, it needs to be</p> <p>6 clear that you haven't disagreed. So the</p> <p>7 motion should be to defer the matter, but what</p> <p>8 are you going to do at the next meeting?</p> <p>9 CHAIRMAN AIZENSTAT: I would defer the</p> <p>10 matter and invite --</p> <p>11 MR. PEREZ: Mr. Tony Bello.</p> <p>12 CHAIRMAN AIZENSTAT: -- Mr. Tony Bello and</p> <p>13 Mr. Sanabria to come back to the Board at that</p> <p>14 time.</p> <p>15 MR. SANABRIA: What's the date?</p> <p>16 MR. PEREZ: January 8th, I believe it is.</p> <p>17 Right?</p> <p>18 MR. CARLSON: Wednesday, January 8th.</p> <p>19 MS. ALBERRO MENENDEZ: What time -- What</p> <p>20 day is it?</p> <p>21 CHAIRMAN AIZENSTAT: January 8th.</p> <p>22 MR. FLANAGAN: So I move that we defer this</p> <p>23 agenda item to our next meeting, so that the</p> <p>24 remaining candidate can appear in front of us</p> <p>25 and we can have further discussion and review.</p>	<p style="text-align: right;">Page 151</p> <p>1 MR. PEREZ: Yes.</p> <p>2 MS. MENENDEZ: Marshall Bellin?</p> <p>3 MR. BELLIN: Yes.</p> <p>4 MS. MENENDEZ: Jeff Flanagan?</p> <p>5 MR. FLANAGAN: Yes.</p> <p>6 MS. MENENDEZ: Julio Grabiell?</p> <p>7 MR. GRABIEL: Yes.</p> <p>8 MS. MENENDEZ: Eibi Aizenstat?</p> <p>9 CHAIRMAN AIZENSTAT: Yes.</p> <p>10 The idea will be for both candidates to be</p> <p>11 able to speak. Thank you.</p> <p>12 MR. SANABRIA: Thank you.</p> <p>13 CHAIRMAN AIZENSTAT: Thank you for coming.</p> <p>14 MR. SANABRIA: Yes.</p> <p>15 CHAIRMAN AIZENSTAT: Let's go ahead and</p> <p>16 adjourn the meeting. Is there a motion to</p> <p>17 adjourn?</p> <p>18 MS. ALBERRO MENENDEZ: Motion, I'll move</p> <p>19 it.</p> <p>20 MR. GRABIEL: Second.</p> <p>21 CHAIRMAN AIZENSTAT: Second.</p> <p>22 All in favor?</p> <p>23 (Thereupon, all members voted aye.)</p> <p>24 CHAIRMAN AIZENSTAT: Thank you. Meeting</p> <p>25 adjourned.</p>
<p style="text-align: right;">Page 150</p> <p>1 MR. LEEN: Yes. I have to tell you, my</p> <p>2 advice is, that's a good suggestion, because</p> <p>3 then it gives him an opportunity to speak, as</p> <p>4 well, so both of them will speak.</p> <p>5 CHAIRMAN AIZENSTAT: No, I agree.</p> <p>6 MR. LEEN: And then you can decide, and if</p> <p>7 you can't decide at that one, I would suggest</p> <p>8 you send it to the Commission.</p> <p>9 CHAIRMAN AIZENSTAT: I agree. Is everybody</p> <p>10 okay with that? We have a motion. Is there a</p> <p>11 second?</p> <p>12 MR. SANABRIA: The only question I have is,</p> <p>13 will I have an opportunity to speak at that</p> <p>14 meeting, as well?</p> <p>15 MR. LEEN: Yes.</p> <p>16 CHAIRMAN AIZENSTAT: Just one second,</p> <p>17 please.</p> <p>18 We have a motion. Is there a second?</p> <p>19 MR. BELLIN: Yes.</p> <p>20 MS. ALBERRO MENENDEZ: I'll second it.</p> <p>21 CHAIRMAN AIZENSTAT: We have a second.</p> <p>22 Call the roll. Do we need to call the roll</p> <p>23 to defer? I guess it would be --</p> <p>24 MR. LEEN: I would call the roll.</p> <p>25 MS. MENENDEZ: Alberto Perez?</p>	<p style="text-align: right;">Page 152</p> <p>1 (Thereupon, the meeting was adjourned at</p> <p>2 8:50 p.m.)</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

CERTIFICATE

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

I, JOAN L. BAILEY, Registered Diplome
Reporter, Florida Professional Reporter, and a Notary
Public for the State of Florida at Large, do hereby
certify that I was authorized to and did
stenographically report the foregoing proceedings and
that the transcript is a true and complete record of my
stenographic notes.

I also certify that all public speakers were
duly sworn by me.

DATED this 16th day of December, 2013.

SIGNED COPY ON FILE

JOAN L. BAILEY, RDR, FPR

Notary Commission Number EE 083192
Expiration June 14, 2015.

November , 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

ENTERED AS EXHIBIT by Zelle AI
NUMBER
THE PLANNING AND ZONING BOARD
ON 12.11.13 jm
DATE INITIALS

Re: Building Site Separation / 6801 Granada Blvd.

Dear Mr. Trias:

I have met with Mr. Dalmau, the owner of property located 6801 Granada Blvd., and he has shown me plans of how he intends to separate the property into two building sites. I am not sure that I will be able to attend the Planning and Zoning Board meeting, but wanted this letter in strong support of his application to be placed in the record. I would kindly ask that you take this letter under consideration.

Very sincerely,



Print Name: HILARIO CANELLA

Address: 6801 GRANADA BLVD

December 9, 2013

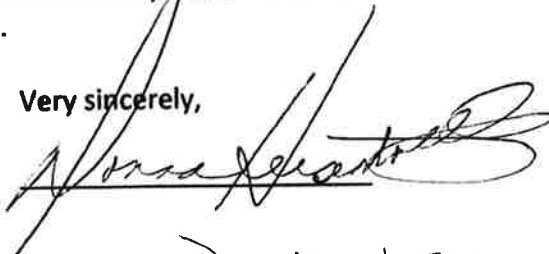
Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

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Very sincerely,



Print Name: DONNA HESENBOITCE

Address: 620 SAN SERVANDO AVE

December 6 , 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: Building Site Separation / 6801 Granada Blvd.

Dear Mr. Trias:

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Very sincerely,



Print Name:

MOSHE MEIDAR

Address:

6901 Granada Blvd
Coral Gables, FL 33146

Zeke Guilford

From: Jeff Bartel <jbartel@bellsouth.net>
Sent: Thursday, September 19, 2013 12:05 PM
To: Zeke Guilford
Cc: Jorge Dalmau; Cathy Bartel; Mary Dalmau
Subject: Support for owners of 6801 Granada Boulevard

Dear Mr. Guilford:

Please forward this letter to the City of Coral Gables to be part of the official record on this matter.

We have reviewed the plans that the owners of 6801 Granada Boulevard have submitted to the City of Coral Gables. We strongly support the owner's application to before the Historic Preservation Board. Further, we believe that the proposed lot separation into two lots is good for the neighborhood, will make the property more compatible with the surrounding properties, and furthers the health, safety and welfare of the City of Coral Gables.

Sincerely,

Jeffrey and Caterina Bartel
Property owners and residents at 6909 Mindello Street, Coral Gables

November , 2013

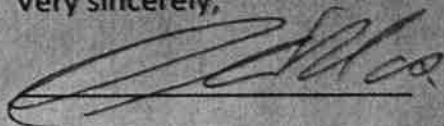
Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: Building Site Separation / 6801 Granada Blvd.

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Very sincerely,



Print Name:

Ofelia Mato

Address:

1245 So. Alhambra Cir
Coral Gables 33146

November 30, 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: Building Site Separation / 6801 Granada Blvd.

Dear Mr. Trias:

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Very sincerely, —

Aramis Alvarez

Print Name: ARAMIS ALVAREZ

Address: 1207 SOUTH ALHAMBRA CIRCLE.

December 8 , 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: Building Site Separation / 6801 Granada Blvd.

Dear Mr. Trias:

I have met with Mr. Dalmau or his representative, the owner of property located 6801 Granada Blvd., and he has shown me plans of how he intends to separate the property into two building sites. I am not sure that I will be able to attend the Planning and Zoning Board meeting, but wanted this letter in strong support of his application to be placed in the record. I would kindly ask that you take this letter under consideration.

Very sincerely

Print Name:

Address:

December 8 , 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: Building Site Separation / 6801 Granada Blvd.

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Very sincerely,

A handwritten signature in dark ink, appearing to read 'Hortensia Trias', written over a horizontal line.

Print Name: Hortensia Trias

Address: 6810 Tordera St

December 8 , 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: Building Site Separation / 6801 Granada Blvd.

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Very sincerely,



Print Name:

Carlos A. Palacios

Address:

6910 Vernmore St CG FL

33146

December 8 , 2013

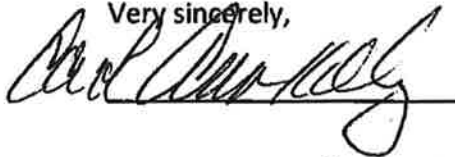
Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: Building Site Separation / 6801 Granada Blvd.

Dear Mr. Trias:

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Very sincerely,



Print Name:

Carol Ann Kelly

Address:

10912 Alhambra St

December 8 , 2013

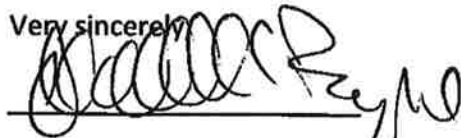
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Very sincerely,



Print Name:

ANDREW AYALA

Address:

6801 ALHAMBRA ST
CORAL GABLES, FL

December 8 , 2013

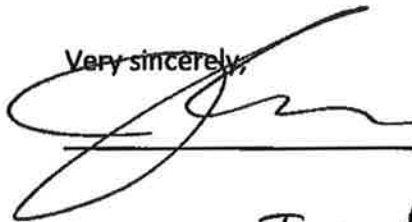
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Very sincerely,

A handwritten signature in black ink, appearing to read 'Joshua Vandes', written over a horizontal line.

Print Name: JOSHUA VANDES

Address: 6833 VERANESE ST.

December 8 , 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

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Very sincerely,

A handwritten signature in dark ink, appearing to read 'Fernando Amado', written over a horizontal line.

Print Name: FERNANDO AMADO

Address: 6870 GRANADA BLVD
CORAL GABLES, FL 33146

December 8 , 2013

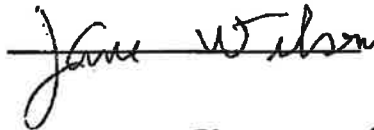
Ramon Trias
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Coral Gables, FL 33134

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Very sincerely,



Print Name: Jane Wilson

Address: 6807 Granada

December 8 , 2013

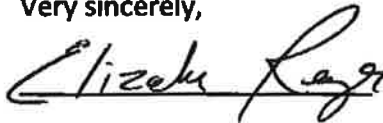
Ramon Trias
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City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

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Very sincerely,



Print Name: Elizabeth Reyes

Address: 6910 Granada Blvd
Coral Gables FL
33146

December 8 , 2013

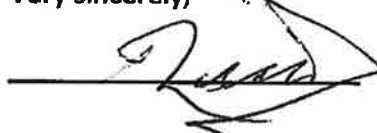
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Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

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Very sincerely,



Print Name:

Ricardo Recio

Address:

6950 Granada Blvd.
Coral Gables 33146

November 30, 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

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Very sincerely,

A handwritten signature in black ink, appearing to read "John DeLappe", written over a horizontal line.

John M. DeLappe
6300 Granada Blvd
Coral Gables, FL 33146

November 27, 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

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Very sincerely,

A handwritten signature in dark ink, appearing to read 'Ignacio Quirch', is written over a horizontal line.

Print Name: Ignacio Quirch

Address: 6800 Riviera Drive CG

November , 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

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Very sincerely,



Print Name:

Jose Remy

Address:

6810 Granada Blvd.

Coral Gables FL 33146

November , 2013

Ramon Trias
Planning and Zoning Director
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: **Building Site Separation / 6801 Granada Blvd.**

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Very sincerely,



Print Name: SCOTT WILSON

Address: 6600 GRANADA 33146

Zeke Guilford

From: Jorge A Dalmau <jorge@bigstar.tv>
Sent: Thursday, September 19, 2013 1:30 PM
To: Zeke Guilford
Subject: Fwd: 6801 GRANADA

Another supporting neighbor

Sent from my iPhone

Begin forwarded message:

From: "Carlos Grande" <cmgrande@transmissionparts.com>
Date: September 19, 2013, 1:26:48 PM EDT
To: "Dalmau, Jorge A" <jorge@bigstar.tv>, "Jorge A Dalmau" <jadalmau@aol.com>
Subject: 6801 GRANADA

To whom this may concern:

I have reviewed the plans that Mr. Dalmau has submitted to the City of Coral Gables. My wife Ana and I support his application before the Historic Preservation Board. Further, we believe that the proposed lot separation is good for the neighborhood and will make the property more compatible with the surrounding properties.

Sincerely,

Carlos Manuel Grande
1133 Alfonso Avenue
Coral Gables Florida 33146

Carlos M. Grande
Lory Transmission Parts
2414 SW 8 Street
Miami, Florida 33135
305-642-4621 ext 8009
305-541-1444 Fax
786-866-0229 Direct
305-519-7195 Cell
Skype: carlos.grande.lory

Lory Transmission Parts of the Dominican Republic
Americo Lugo, No. 240
100 metros este de La Plaza de la Salud
Santo Domingo, Dominican Republic
809-616-2509
809-549-7081
Argentina 11-5031-4742

Zeke Guilford

From: Jorge A Dalmau <jadalm@aol.com>
Sent: Thursday, September 19, 2013 12:22 PM
To: Zeke Guilford
Subject: Fwd: 6801 Granada Blvd

Fyi

Sent from my iPhone

Begin forwarded message:

From: Juan Carlos <jcanto@nexogy.com>
Date: September 19, 2013, 11:41:25 AM EDT
To: Jorge A Dalmau <jadalm@aol.com>
Subject: Re: 6801 Granada Blvd

Jorge:

I have reviewed the plans that have been submitted to the City of Coral Gables. I support his application before the Historic Preservation Board. Further, we believe that the proposed lot separation is good for the neighborhood and will make the property more compatible with the surrounding properties.

Regards,

juan carlos.canto

CFO
www.nexogy.com
p.305.503-5267

<image[12].jpg>

Mobility in a modern world is a must. Let nexogy mobile applications take you anywhere you want to go, with no pins, no access numbers, and low international rates.

*It's that easy, it's nexogy...empower your communications...**there's an app for that!***

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<image[13].jpg>Please consider the environment before printing this email.

<image[12].jpg>

<image[13].jpg>

NOVEMBER , 2013

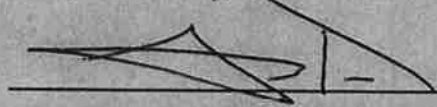
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Planning and Zoning Director
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Coral Gables, FL 33134

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Very sincerely,



Print Name: Isabel Ries

Address: 1240 South Alhambra Cir
Coral Gables, FL 33146

November , 2013

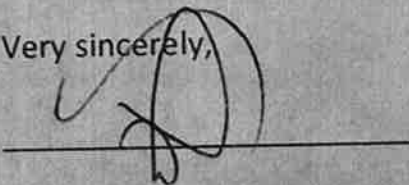
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Coral Gables, FL 33134

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Very sincerely,



Print Name:

Jorge Rios

Address: 1251 So. ALHAMBRA Cir
CORAL GABLES, FL 33146

Re: 6801 GRANADA

Residents' Submission

- 1: INSERT: 2007 & 2013 Sales Brochure
- 2: Photo Tour of 6801 GRANADA
- 3A: Owner's: "Context Site Plan"
- 3B: "Demolition Site Plan"

Re: 6801 GRANADA

Residents' Submission

1: INSERT: 2007 & 2013 Sales Brochure

2: Photo Tour of 6801 GRANADA

3A: Owner's: "Context Site Plan"

3B: "Demolition Site Plan"



9 bedrooms | 10.5 bathrooms

9,448 sf living area | 128,502 sf lot | \$12,500,000

2013

UNIQUE OPPORTUNITY TO OWN THE BEST! Totally secured private property, 3 acres of forest in Coral Gables near downtown Miami. Great family compound with 757' of waterfront. Designed by renowned historical architect Alfred Browning Parker, the main home contains 7BD/7.5BA & includes a separate 2BD/2.5BA guesthouse. All original features preserved with 9,000 sf living area. Master Plan is ready to build, one of Top 10 Best Miami ESTATES. 75' dock & only 1 bridge to bay.

Details:

Price: \$13,500,000 Address: 6801 GRANADA BL Coconut Grove, FL 33146

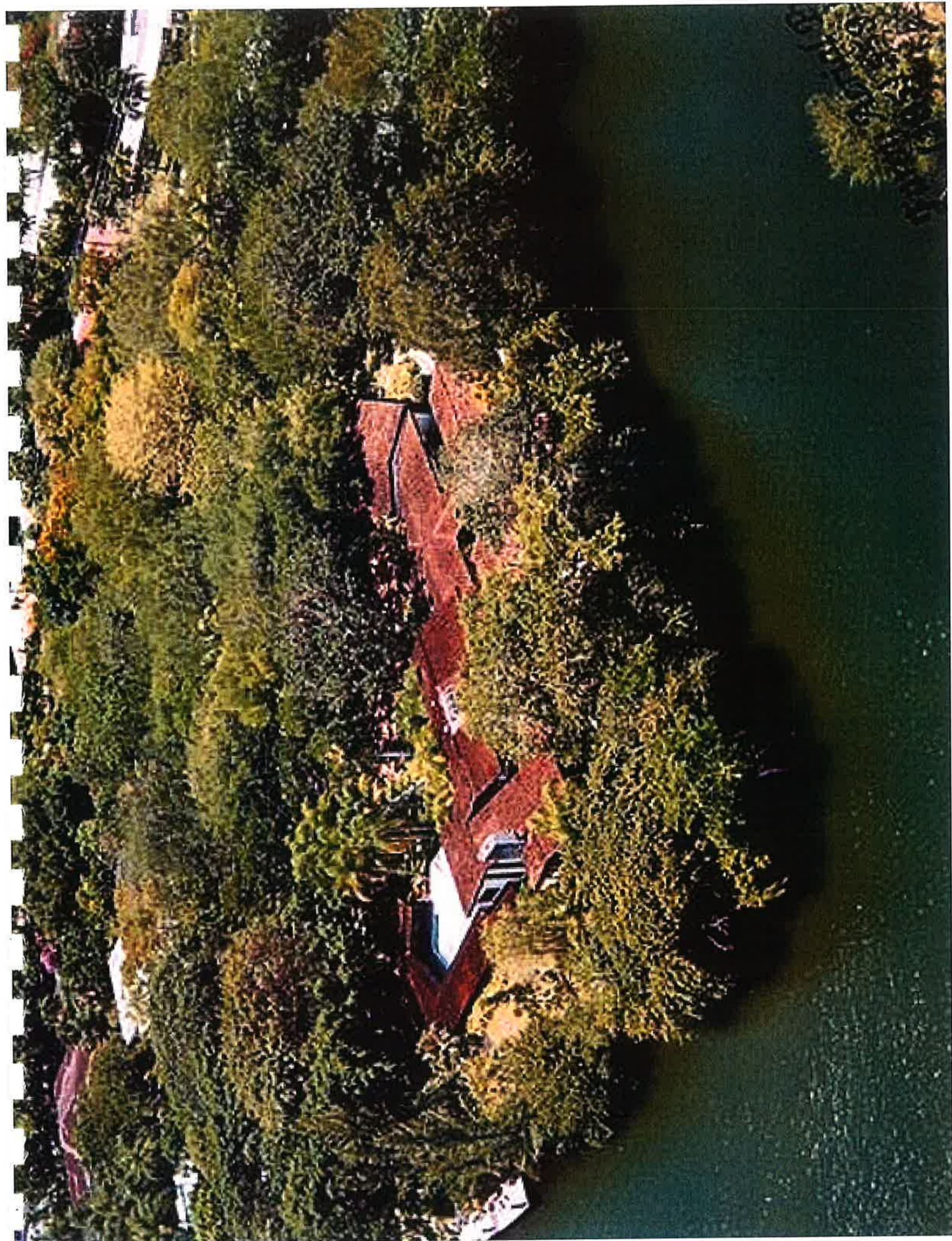
MLS# D1194770 Single Family

Remarks:

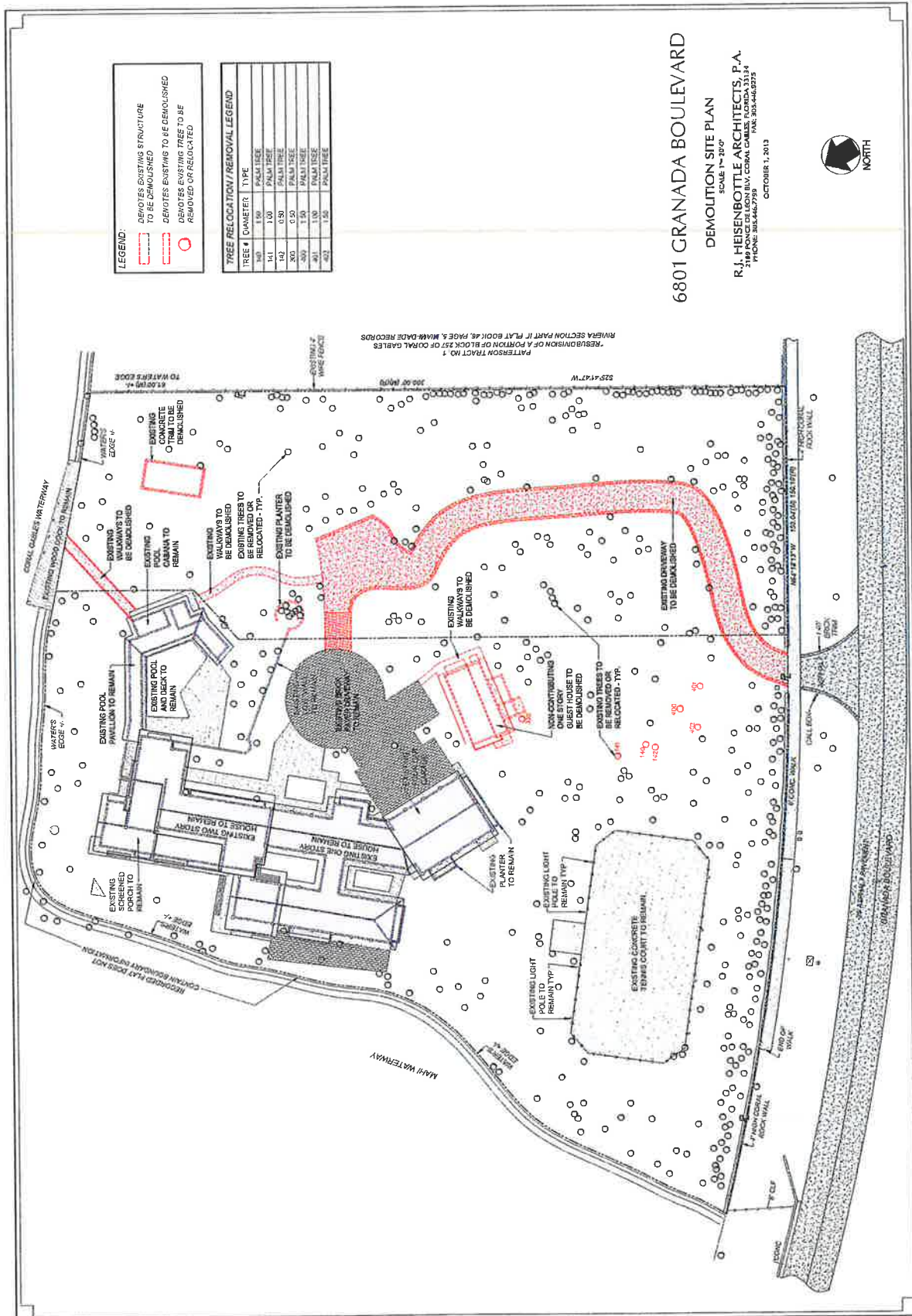
3 ACRE WATERFRONT ESTATE W/DIRECT OCEAN ACCESS. Largest property in S. Gables waterway boasts 757' of waterfront on east and north side with 75' dock. Architecturally unique 10,000+ sq ft home built by renowned architect Alfred Browning Parker sits on lush, private grounds with mature oaks surrounded by coral rock wall. Featuring lit tennis court, pool and screened porch this property and location provide the opportunity to create your ultimate lifestyle in your private compound!

General Information:

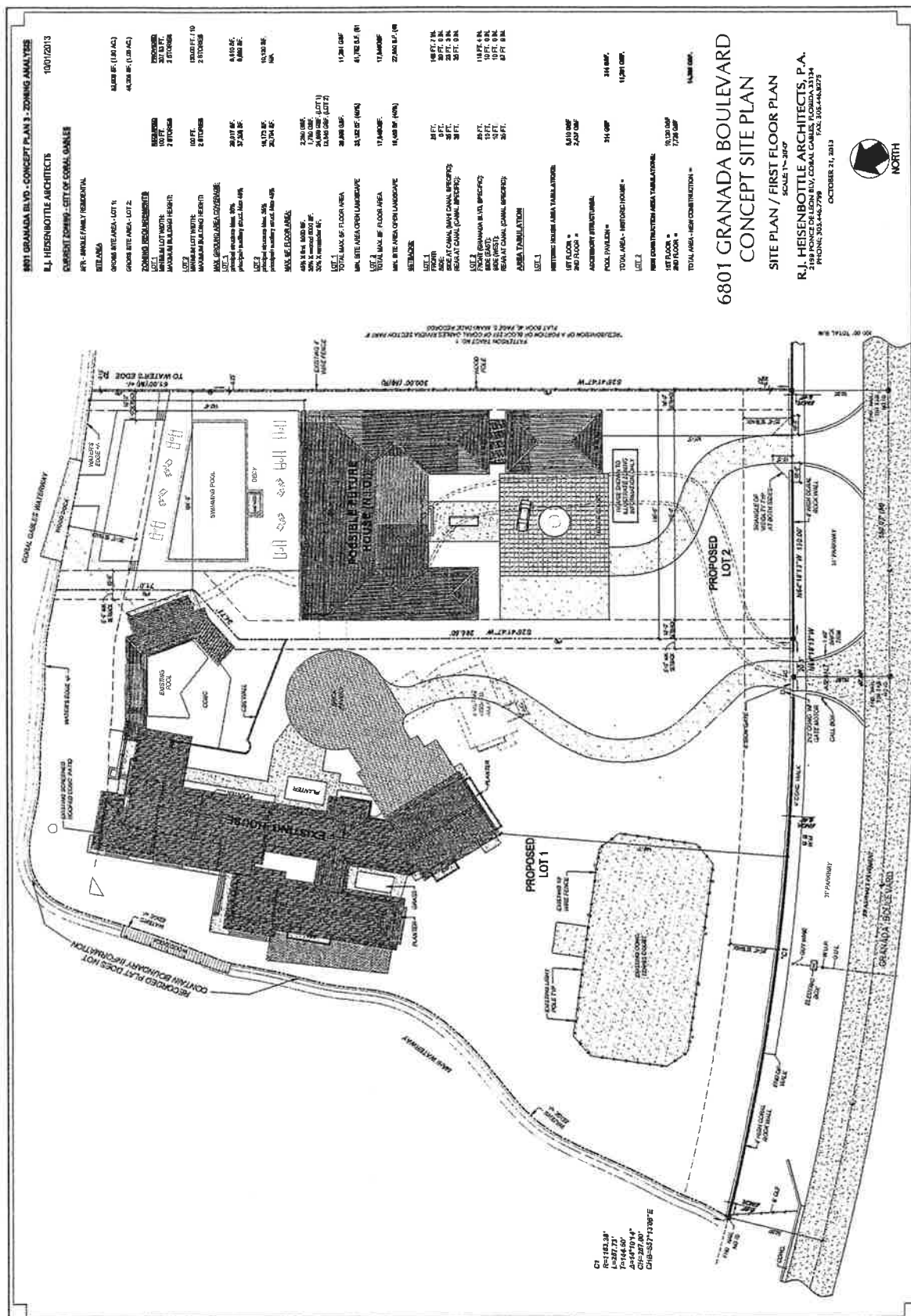
Beds:	8	Baths:	7
Half Baths:	0	Subdivision:	CARTEE HOMESTEAD
Year Built:	1951	Lot Square Feet:	128502
Living Area:	10579	Taxes:	104122
Features:			
Exterior:	Patio		
Fireplaces:	Fireplace(s)		



Existing Conditions and Demolition Site Plan



Conceptual Site Plans (Both lots)



Re: 6801 GRANADA

Residents' Submission

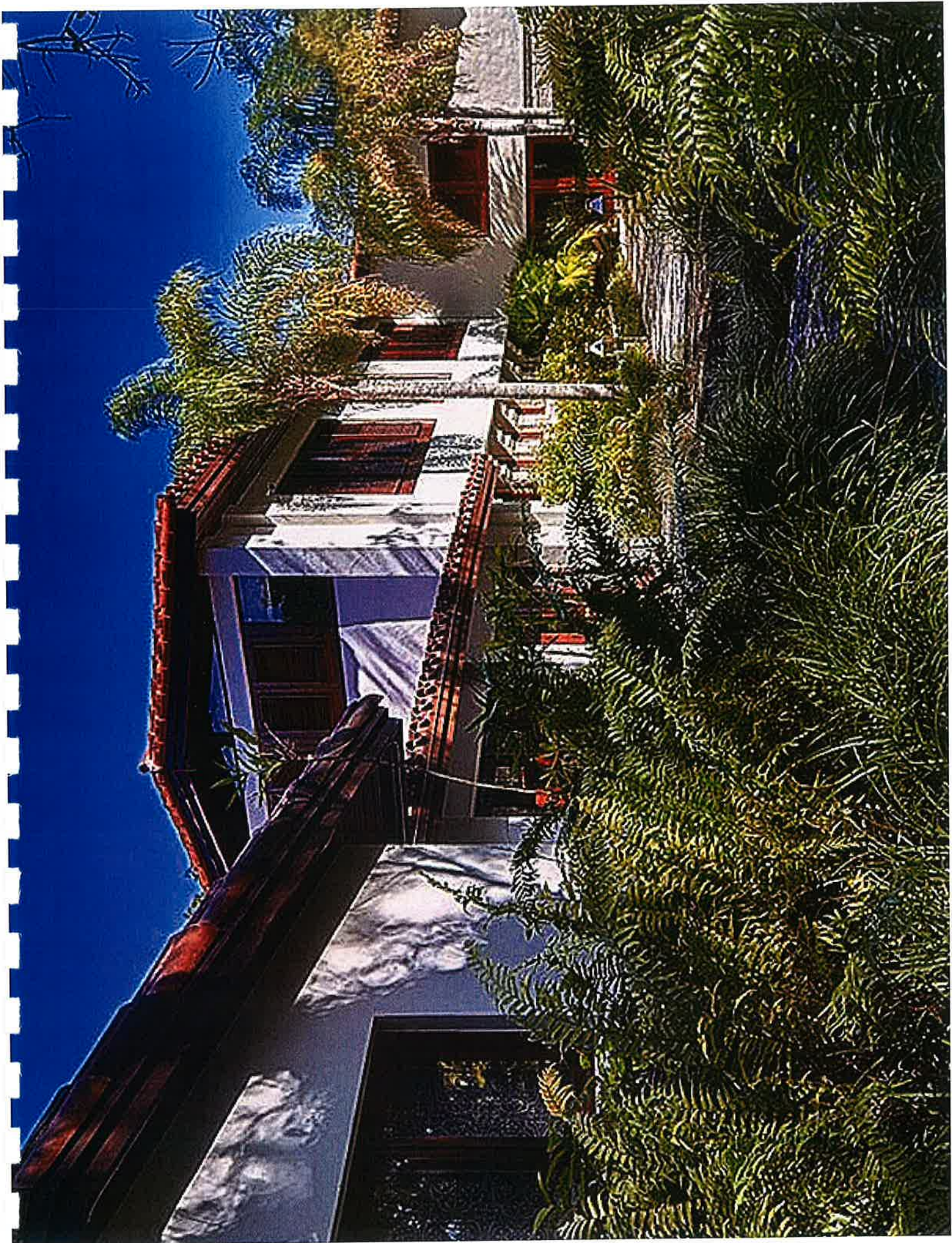
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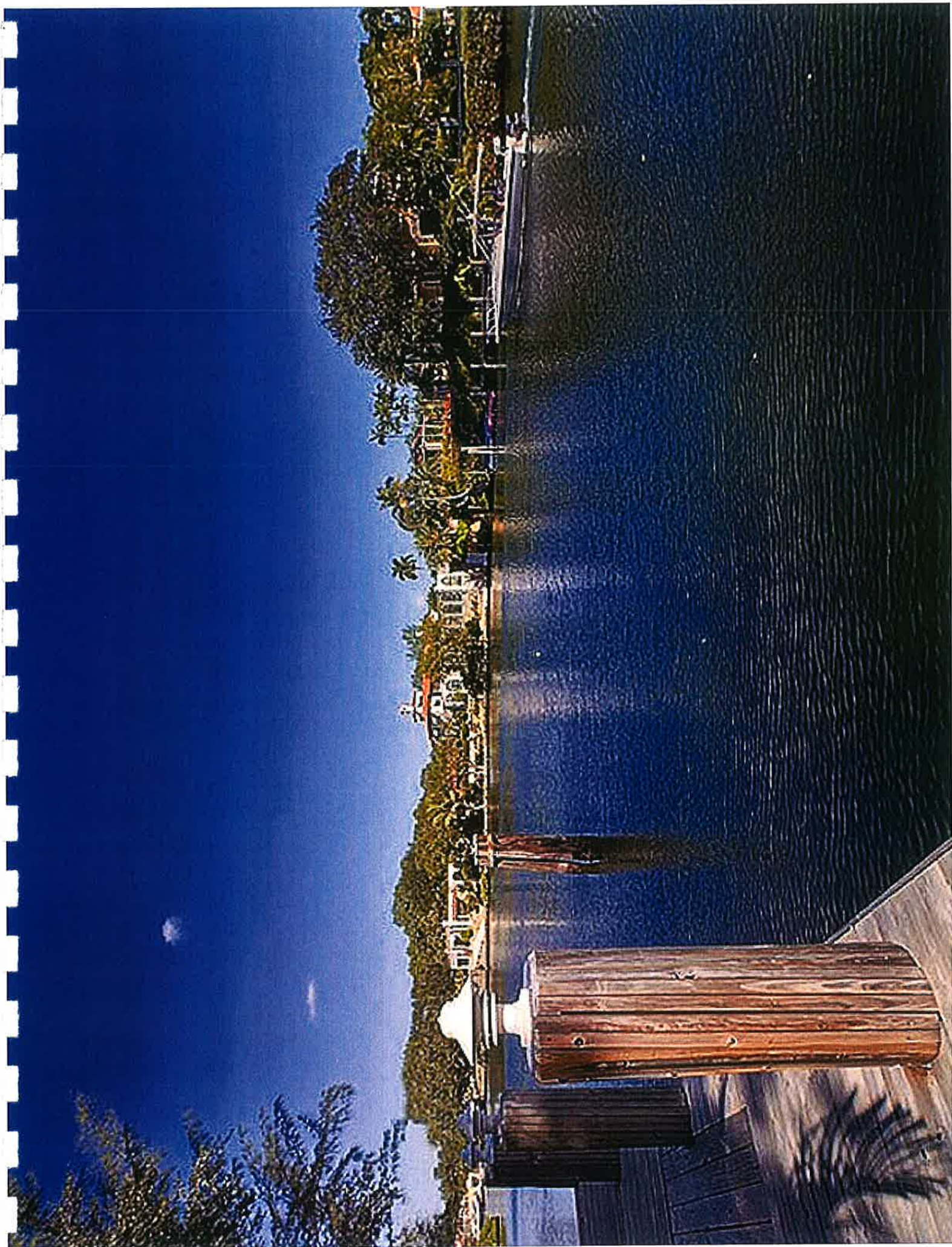
3B: "Demolition Site Plan"











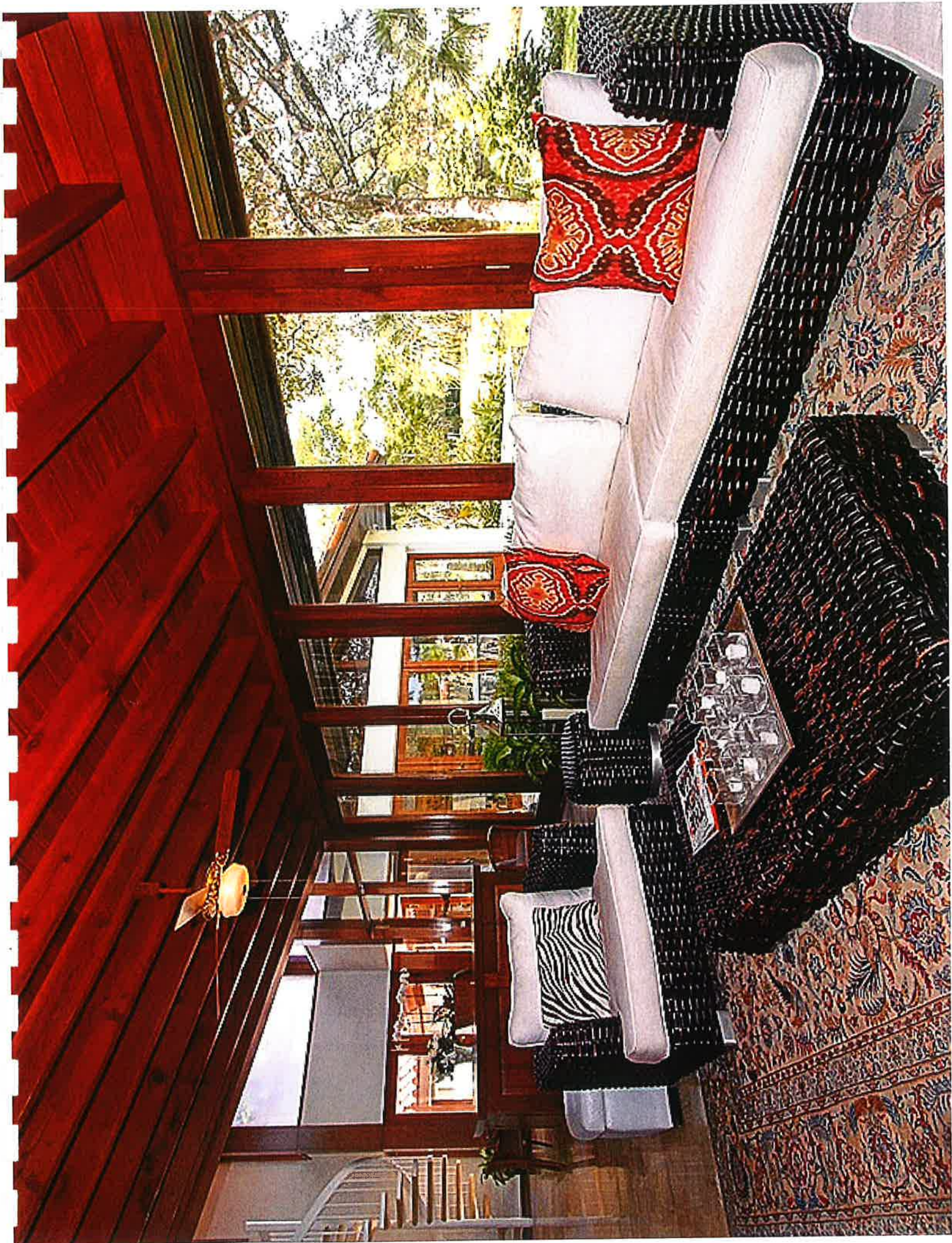


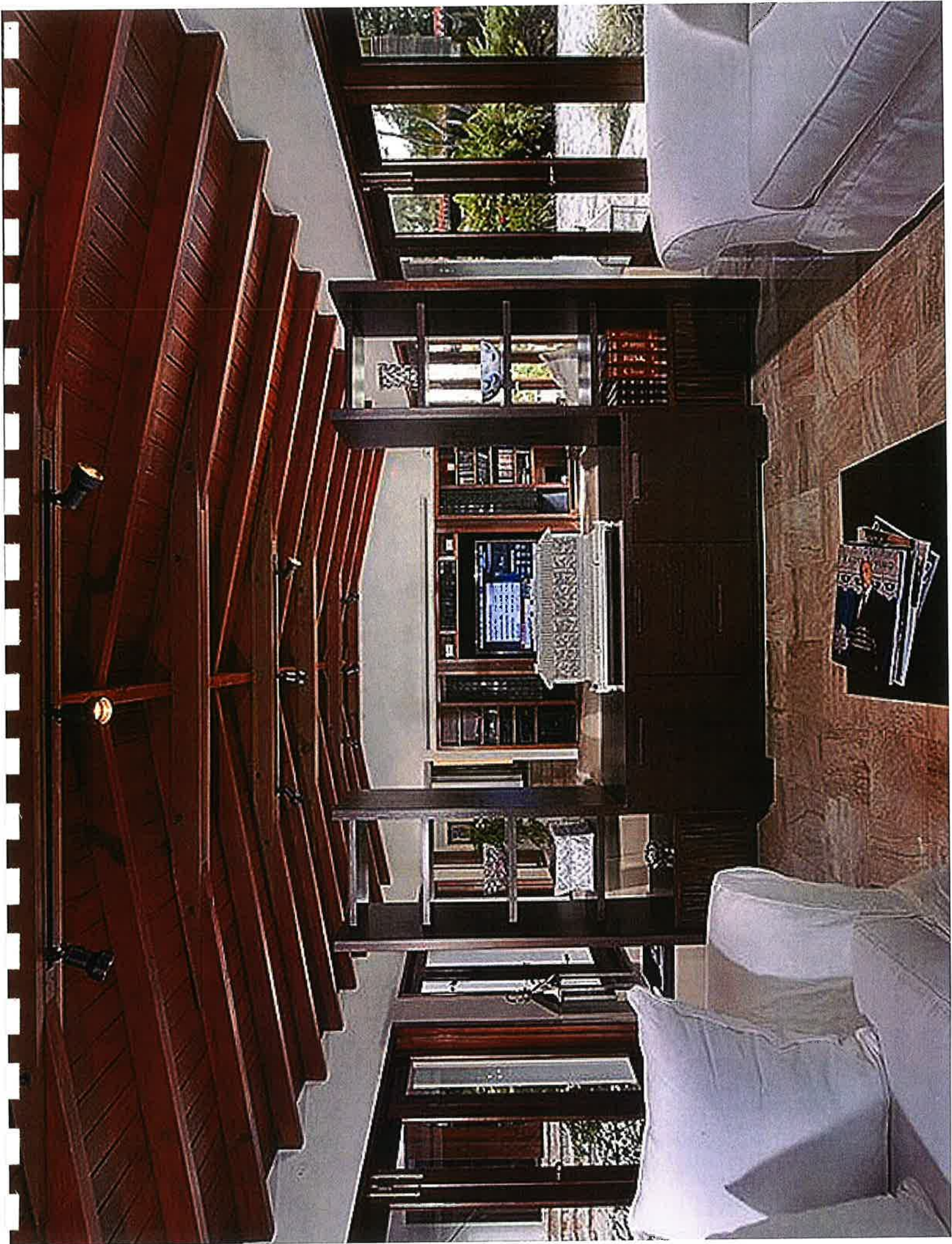






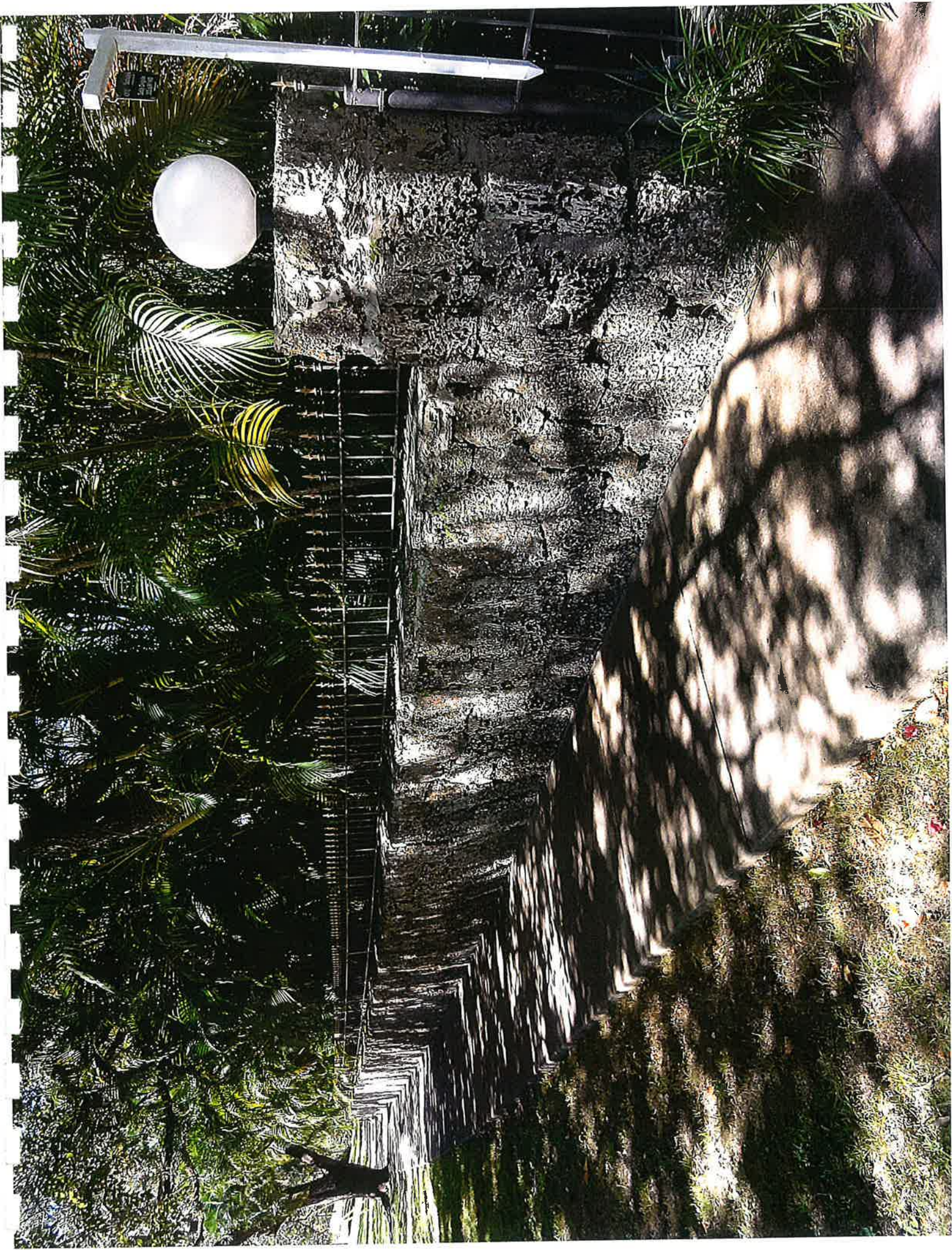


























Re: 6801 GRANADA

Residents' Submission

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2: Photo Tour of 6801 GRANADA

3A: Owner's: "Context Site Plan"

3B: "Demolition Site Plan"

CORAL GABLES WATERWAY

10' setback side
RA ch = 7.50'

MAHI CANAL

PROPOSED
LOT "A"

PROPOSED
LOT "B"

6835

6880

GRANADA BLVD.

ALHAMBRA CIRCLE

6801 GRANADA BOULEVARD

CONTEXT SITE PLAN

SCALE 1" = 50'-0"

R.J. HEISENBOTTLE ARCHITECTS, P.A.
2199 PONCE DE LEON BLV., CORAL GABLES, FLORIDA 33134
PHONE 305.446.7799 FAX 305.446.9275

JULY 5, 2013



#1

Re: 6801 GRANADA

Residents' Submission

- 1: INSERT: 2007 & 2013 Sales Brochure
- 2: Photo Tour of 6801 GRANADA
- 3A: Owner's: "Context Site Plan"
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DENOTES EXISTING STRUCTURE
TO BE DEMOLISHED

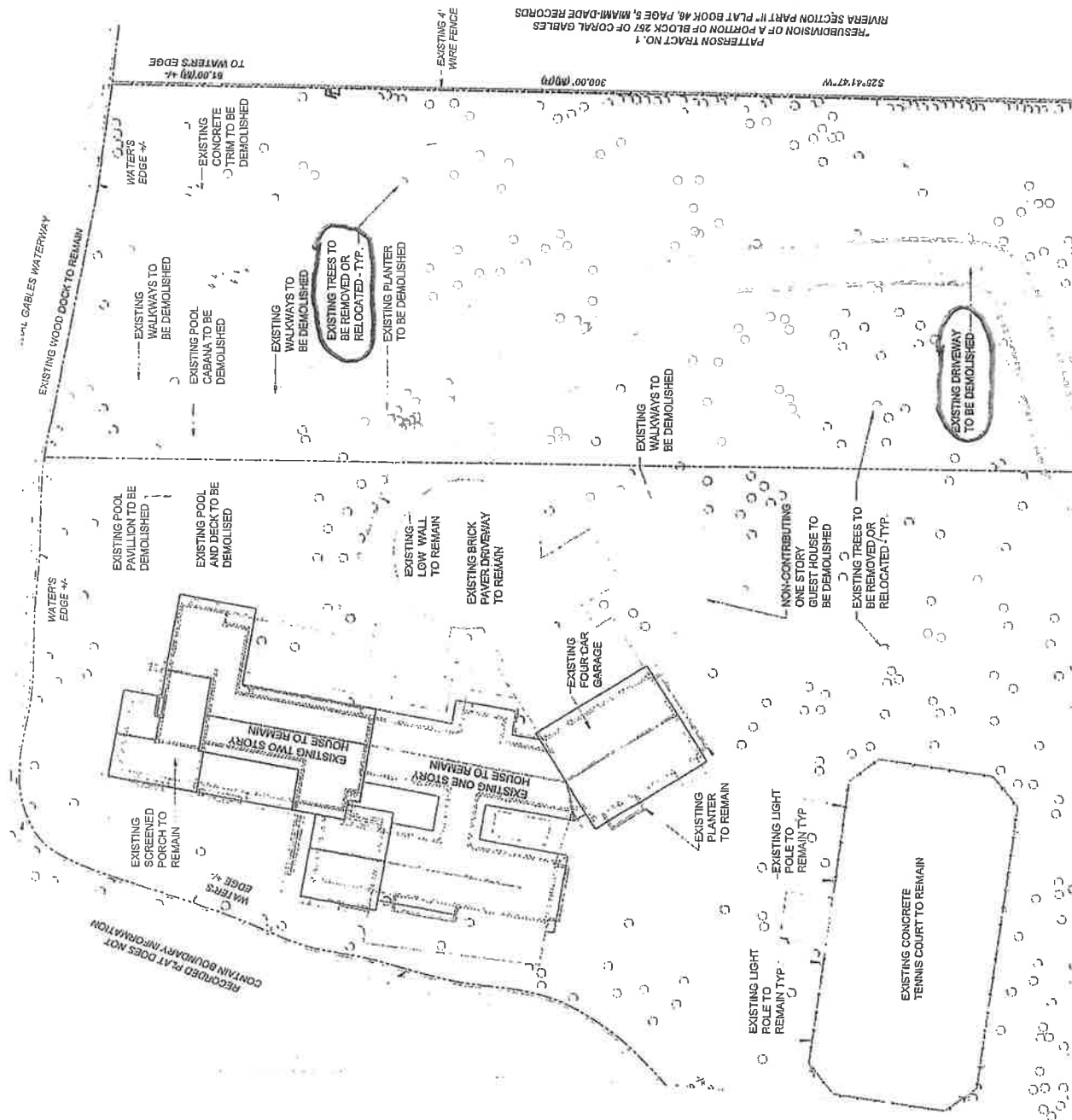
DENOTES EXISTING TO BE DEMOLISHED

DENOTES EXISTING TREE TO BE
REMOVED OR RELOCATED

2#

DEMOLITION SITE PLAN

SCALE: 1" = 20'-0"



ENTERED AS EXHIBIT by Gil Haddad At
NUMBER
THE PLANNING AND ZONING BOARD
ON 12.11.13 jm
DATE INITIALS

Re: 6801 GRANADA

Residents' Submission

HISTORIC PRESERVATION

Section 3-1101. Purpose and Applicability

The purpose of the designation of historic landmarks . . . is to promote the educational, cultural, and economic welfare of THE PUBLIC by preserving and protecting historic structures or sites, portions of structures, groups of structures, manmade or natural landscapes, elements . . . or integrated combinations thereof . . .

Section 3-206(E)(2): Whenever there may exist a single-family residence . . . or accessory building(s) or structure(s) . . . on one or more platted lots or portions thereof, such lot or lots shall thereafter constitute only one (1) building site and no permit shall be issued for the construction of more than one (1) single-family residence . . . such structures shall include but NOT be limited to swimming pools, tennis courts, walls, fences or other at grade and above-ground improvement.

[E.S.]

Elizabeth G. Kuehner Smith
7280 Southwest 53rd Avenue
Miami, Florida, 33143

December 11, 2013

To City of Coral Gables Zoning Board

From: Elizabeth Kuehner Smith
7280 SW 53 AV, High Pines 33143
(An area considering Coral Gables annexation)

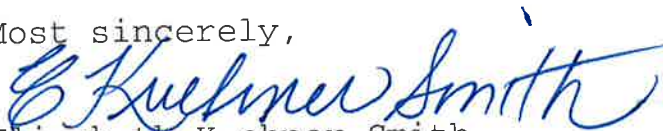
I was born in Coral Gables, maintained an office here for more than 25 years and now serve on the BOD of Tropical Audubon Society and on the "Sundays on the Porch with George" at Merrick House committee. I am an advocate for preservation, conservation, community gardens, urban renewal and sustainable growth.

Based on what I have learned about 6801 Granada through the written record, I submit that the City must err on the side of integrity. When the owner applied for historic designation status in 2007, it was granted and they received the associated tax benefits of that status. Because the owner has now decided subdivision is exponentially more rewarding is not a sound reason to compromise the singularly unique integrity of the historic estate and its intrinsically important old growth native oak hammock setting. Granting subdivision will create an unpleasant, unwarranted precedent and will open a virtual floodgate of similar requests.

Would the City cannibalize The Merrick House grounds to meet a financial shortfall, or subdivide the Biltmore Golf Course to gain ratables? Highly unlikely.

I respectfully ask that the Zoning Board stand its ground, literally.
Thank you for your consideration.

Most sincerely,


Elizabeth Kuehner Smith
305.632.5611

Re: 6801 GRANADA

Residents' Submission

Part A: 7.27.05 – City to Owner – 6801 is a single-building site

2.12.07 – H/P to P&Z. Integration of Flora & Buildings. All Historic.

8.26.07 – P&Z Summary to City Comm.

9.26.07 – Formal City Resolution

9.19.13 – H/P “Special” Certificate

Part B: Residents' Letters and Emails

Part C: Arborist Report

Part D: 1980 Warranty Deed. \$140,000 Cash



The City of Coral Gables

Building and Zoning Department ISO Class 1

CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134
Ms. Laura Russo, P.A.
Gables International Plaza
2655 Le Jeune Road, Suite 201
Coral Gables, 33134~

July 27, 2005

Re: TRACT No. 2, CARTEE HOMESTEADS PB 43-30,
(6801 GRANADA BLVD)

Dear Ms. Russo:

Please be advised that after careful research and study of our records and the information presented, the Building and Zoning Department made the following determination, Tract No. 2, Cartee Homestead, Pb/Pg 43/30, shall constitute a building site for a single family residence.

This administrative determination was made and announced on July 18th, 2005 at 9:00am in the first Floor Conference Room, City Hall, 405 Biltmore Way, Coral Gables, Florida.

Please find enclosed the notice of the building site determination that was sent to all property owners within one thousand (1,000) feet radius of the property.

If I may be of further assistance please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Dennis S. Smith", is written over the typed name.

Dennis S. Smith, C.B.O., MCP
Assistant Building & Zoning Director

C. Martha Salazar-Blanco, Zoning Administrator
Eric Riel Jr., Planning Director

CITY OF CORAL GABLES

2007 FEB 14 AM 8:31

- MEMORANDUM -

TO: ERIC RIEL
PLANNING DIRECTOR

DATE: FEBRUARY 12, 2007

FROM: KARA KAUTZ (V)
HISTORIC PRESERVATION OFFICER

SUBJECT:
6801 GRANADA BOULEVARD

On January 25, 2007, the Historical Resources Department received a request for a Letter of Historic Significance for the property at 6801 Granada Boulevard. The letter, stating that the property is historically significant, was returned to the applicant, Zeke Guilford, and copied to his clients, the Califon Company the next day. Letters of Historic Significance are required by the Coral Gables Zoning Code for any property owner seeking to demolish a property.

In 1951, Alfred Browning Parker designed the site plan, home and auxiliary structures (pool, cabana) on the 6801 Granada Property for D.B. Caudle. In 1953, Parker designed another structure, a servant's quarters, for the property. }

Like other Florida homes designed during this time period, the structure naturally responds to its environment. Features such as deep roof overhangs, screened porches, and cross ventilation were all taken into consideration. Louvers, low ceiling heights and natural materials are integrated to promote the functionality of the spaces. One of Parker's "trademark" features was the use was the "Persiana." As Parker said in his book "You and Architecture: a practical guide to the best in building", "A tropical development is the "Persiana," which serves as a door, window, screen, venetian blind and storm shutter." The structures that Parker designed for the property at 6801 Granada Boulevard exhibit his "trademark" features including the "Persianas."

Parker also believed that a building site was an integral part of the building design. The footprint of the original house and walkway/cabana parallel the shorelines of the waterways that form the northwest and northeast boundaries of the site. A hallmark of this site is the harmonious coexistence between the structures and nature. The house is framed by lush vegetation and the grounds are populated with a large number of mature trees. The original house and grounds responded to each other in a way that was not overpowering. Parker sited his houses within the existing landscape, he did not wipe the landscape clear to build a new house.

Over the years, subsequent additions and alterations have been made to the property. The house was expanded, and a tennis court was added. The Historical Resources Department Staff had the opportunity to walk the property and examine the house in October, 2006. Staff does not feel that the alterations have caused the property to lose its essential character defining features or its architectural integrity.

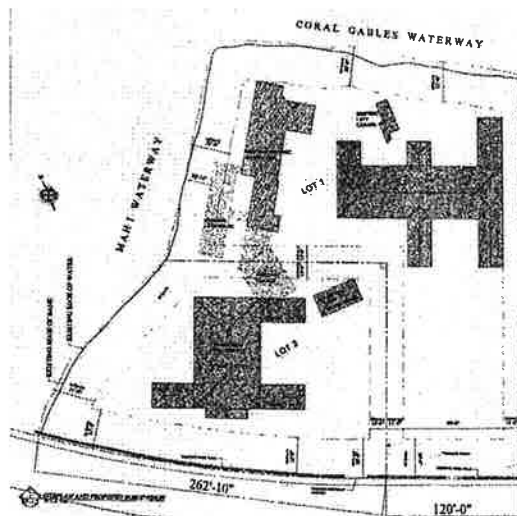
Background

- The property consists of one tract of land, which is approximately three (3) acres in size.
- The entire property was designated as a local historic landmark in June of this year.
- The existing historic residence was constructed in 1951 and contains 9,448 sq. ft.
- An existing asphalt driveway, tennis court and coral rock walk tie the entire property together as a single building site.

08.28.07 City Commission Meeting

3

Proposed site plan



08.28.07 City Commission Meeting

4

City Department Comments

- The Public Service Department has expressed concern about the impact of the proposed new construction on the preservation of existing mature trees and landscaping.
- The Historic Resource Department has expressed concern about the impact of the new residences on the historical structure and its setting within the property.

08.28.07 City Commission Meeting

5

Historic Preservation Board

- In June, the Historic Preservation Board designated the entire property as a local historic landmark. At that meeting, both the Historic Resources Department and the Board recommended denial of the proposed building site separation.

08.28.07 City Commission Meeting

6

Review criteria

- The application is required to meet a minimum of four (4) of the Zoning Code's six (6) review criteria to be considered a candidate for building site separation.
- Staff has reviewed the applicant's proposal with each of the criteria, and has determined the following:

08.28.07 City Commission Meeting

9

1. That exceptional or unusual circumstances exist.

- Staff comment: This proposal does not satisfy this criteria. This site does not exhibit any of the characteristics described in the Zoning Code that would qualify as exceptional or unusual circumstances, such as unusual site configuration, partially platted lots, two or more land use or zoning designations or multiple facings.

08.28.07 City Commission Meeting

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4. That no Restrictive Covenants, encroachments, easements or the like exist.

- Staff comment: This proposal does not satisfy this criteria. The existing residence's tennis court and drive way encroach onto Lot 2.

5. Maintains and preserves open space, historic character and visual attractiveness and promotes neighborhood compatibility.

- Staff comment: This proposal does not satisfy this criteria. The proposed site plan is not consistent with the development pattern of the surrounding neighborhood, creates a building site that does not fully front onto the public street and requires the removal of existing mature trees and landscaping.

6. Property was purchased by the current owner prior to September, 1977.

- Staff comment: This proposal does not satisfy this criteria. The current owner purchased the property in 1980.

Recommendation

- The Planning and Zoning Board unanimously recommended denial of this building site separation request.
- ~~Staff determined~~ that the application satisfies none (0) of the six (6) criteria for review, and a minimum of four (4) criteria are required to be considered a candidate for building site separation.



The City of Coral Gables

Planning Department

CITY HALL 405 BILTMORE WAY
CORAL GABLES, FLORIDA 33134

September 19, 2007

Mr. Gil Haddad
6800 Granada Boulevard
Coral Gables, FL 33146

RE: 6801 Granada Boulevard

Dear Mr. Haddad:

Per the request for any formal documentation made in your August 8, 2007 letter, the Planning Department is forwarding to you a copy of City of Coral Gables Resolution No. 2007-192, denying approval of the building site separation application for the property located at 6801 Granada Boulevard.

If you have any further questions, please do not hesitate in contacting me at (305) 460-5213.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter Carlson".

Walter Carlson
Asst. Planning Director

Attachment:

- Resolution No. 2007-192
- Copy of 08.08.07 Letter

cc: Planning Department Project File

**CITY OF CORAL GABLES
HISTORIC PRESERVATION
CERTIFICATE OF APPROPRIATENESS**

SITE ADDRESS/LOCATION: 6801 Granada Boulevard

LEGAL DESCRIPTION: Tract 2 of Cartee Homestead according to the Plat thereof, recorded in Plat Book 43, at Page 30, of the Public Records of Miami-Dade County, Florida.

CASE FILE NUMBER: COA(SP)2013-011

CERTIFICATE TYPE: STANDARD X SPECIAL

DECISION BY: STAFF
 X HISTORIC PRESERVATION BOARD

ACTION DATE: September 19, 2013

ACTION: X APPROVE WITH THE FOLLOWING CONDITIONS:

1. No alteration or demolitions will occur unless the proposal to subdivide the property into two building sites is approved by the City Commission.
2. Retain the existing loggia (noted on the plans as "existing pool pavilion"), pool, and cabana.
3. Any new construction on the parcel of land that will be created for a new residence ("Proposed Lot B") will require a Special Certificate of Appropriateness and review by the Historic Preservation Board.
4. No tree removals/relocations will occur on the lot that has the historic residence ("Proposed Lot A") unless the proposal to subdivide the property into two building sites is approved by the City Commission.
5. The removal/relocation of trees on the lot that is created for a new residence ("Proposed Lot B") will be part of the application for that residence and will require a Certificate of Appropriateness. No tree removal or relocations will occur until the design of the new residence has been approved.
6. The demolition of the portion of the perimeter coral rock wall to accommodate the driveway for the new residence ("Proposed Lot B") will also be part of the application for that residence and will require a Certificate of Appropriateness.

EXPIRATION DATE: September 19, 2015

Dona M. Spain
PRINT NAME

Historic Preservation Officer
TITLE


SIGNATURE

September 24, 2013
DATE

Re: 6801 GRANADA

Residents' Submission

Part A: 7.27.05 – City to Owner – 6801 is a single-building site

 2.12.07 – H/P to P&Z. Integration of Flora & Buildings. All
 Historic.

 8.26.07 – P&Z Summary to City Comm.

 9.26.07 – Formal City Resolution

 9.19.13 – H/P “Special” Certificate

Part B: Residents' Letters and Emails

Part C: Arborist Report

Part D: 1980 Warranty Deed. \$140,000 Cash

**Riviera Neighborhood Association
Post Office Box 43-0825
South Miami, Florida 33243-082**

November 15, 2013

**To: Mayor Jim Cason
Vice-Mayor William Kerdyk
Commissioner Pat Keon
Commissioner Vince Lago
Commissioner Frank Quesada
City Attorney Craig Leen
Planning and Zoning Department**

Gentlemen and Ladies:

The Riviera Neighborhood Association (RNA) was founded in 1996. Since, it has attempted to advance the interests of the hundreds of homeowners on and west of Riviera Drive to SW 57th Avenue and US 1; south to Sunset Drive and north to Hardee Road. This area covers approximately 800 households, many of whom are long time RNA members and supporters.

The Board of Directors of RNA respectfully expresses its unanimous opposition to the attempt to re-plat; sub-divide or lot split, the City Beautiful heritage lot located at 6801 Granada Blvd.

The natural hammock south of the main house; the beautiful oak laden driveway and the proximity of the flora and wildlife are all essential elements of this historic property. These epitomize the Alfred Browning Parker vision. His genius is a heritage that is treasured by the Riviera district residents and indeed, an asset to all Coral Gables residents and their prodigy.

We citizens rely on the City's unanimous determination made in 2007 to preserve this community treasure. There has been no change as to the property as a whole, nor, especially so, as to that portion of the property south of the main house. In the absence of change to the property itself, there is no just reason to change the correct 2007 determination the City made in good faith for the citizens of Coral Gables.

Most respectfully submitted,



**Sandra Levinson, President
Riviera Neighborhood Association**

Sent via email and regular USPO delivery

Coral Gables, September 12th 2013

To The City of Coral Gables
Historic Preservation Board
Att. Ms. Dona Spain

CASE FILE COA (SP) 2013-011 property on 6801 GRANADA BLVD
LOCAL HISTORICAL LANDMARK

I would like to express my total opposition regarding any removal of trees from the property located at 6801 Granada Boulevard which may occur in case of subdivision.

Until not too long ago, this property had one of the last original hammocks of the Gables. Which, with it's lushness attracted all the amazing local fauna, from tiny red foxes and raccoons, to hawks, owls, cranes and an infinity of other birds.

An Historical Landmark by Nature!

Unfortunately over the past couple of years the situation has changed tremendously: most of the big trees are gone, sacrificed by the owners, probably in the hope of making the property more appealing to buyers.

If we compare arial pictures of the property from 2005 with actual ones, it would be obvious that not many of the tress are left.

It is my view that,we as owners should maintain and care for as much as the original flora as we can.

I do it on my property , not only by caring, pruning , fumigating and fertilizing all of my mature trees, but by planting as many new species as I can.

This is the legacy the we can leave to generation to come : A LUSH GREEN AND SPECIAL CORAL GABLES.

For this reason I DO OPPOSE TOTALLY to any more removal of tress from the property at 6801 Granada Blvd.

Lina Eichenwald

6835 Granada Boulevard, Coral Gables, Fl, 33146

Ahouse, Emily

From: jmensch100@comcast.net
Sent: Tuesday, September 17, 2013 7:47 PM
To: HIST
Subject: 6801 Granada Blvd

Please be advised that we are opposed to any change of lot status regarding the 6801 property. Demolition of trees and portions of structures may be the first step of a division of the property.

Yours, Joseph Mensch

6207 Granada Blvd
Coral Gables, Fl. 33146

Spain, Dona

From: valdes1127@aol.com
Sent: Wednesday, September 18, 2013 9:10 AM
To: HIST
Subject: 6801 Granada Blvd

Good Morning-

We are opposed to the lot splitting, building demolition and tree removal/relocation in order to redevelop this historical property located at 6801 Granada Blvd. Please preserve our historic code in order to protect this historic property and our neighborhood.

Regards-

Juan and Tina Valdés
6815 Mindello St
Coral Gables, FL 33146

Kautz, Kara

From: s.s.herris@att.net
Sent: Thursday, September 19, 2013 11:37 AM
To: HIST
Subject: 6801 granada blvd---OPPOSE

DO NOT ALLOW THE DEMOLITION S AND TREE REMOVALS !!!

do NOT APPROVE THE DEMOLITIONS and tree removals
at 6801 granada blvd.
shirley herris
6835 camarin st.
coral gables, fl 33146

Kautz, Kara

From: ARTURO MOSQUERA <afm6595@bellsouth.net>
Sent: Thursday, September 19, 2013 2:50 PM
To: HIST
Subject: Opposing Demolition

As a Coral Gables resident, I am hereby opposing the demolition of the demolition of portions of the historic Alfred Browning Parker home and other structures at 6801 Granada Blvd.

Arturo F. Mosquera, DMD, MS

Hernandez, Cristina

From: Kautz, Kara
Sent: Thursday, September 19, 2013 4:39 PM
To: Hernandez, Cristina
Subject: Fw: Opposing demolition

From: Liza Mosquera [<mailto:lcm6595@att.net>]
Sent: Thursday, September 19, 2013 04:17 PM
To: HIST
Subject: Opposing demolition

As a Coral Gables resident, I am hereby opposing the demolition or portions of the demolition of the historic Alfred Browning Parker home and other structures at 6801 Granada Boulevard.

Liza C. Mosquera
6595 Granada Blvd
Coral Gables, Fl 33146

Mrs. Rebecca Maxey
6312 Riviera Drive
Coral Gables, FL 33146

February 16, 2007

Mr. Eric Reil
Coral Gables Planning Dept.
405 Biltmore Way
Coral Gables, FL 33134

Dear Mr. Reil,

I have recently been informed of the attempt of the new owners of 6801 Granada Blvd. to construct three homes on what is now zoned as a single family parcel. I would like to register my vehement opposition to this ill advised proposal, and the reasons therefore.

First, the concept of lot splitting has historically been seen as repugnant to the residents and city officials of Coral Gables, most particularly in the case of a historical property such as the Alfred Browning Parker home and its natural setting. I assume that Ms. Donna Lubin been involved in this request. Even assuming that the residence would initially be preserved in an attempt to gain approval of the proposed development, the destruction of the natural environment within which the residence is situated would have a dramatically adverse impact the historical nature of the property. To the best of my knowledge, this is one of the last properties on the main tributary of the Coral Gables waterway east of US 1 that has dense old growth natural vegetation. Moreover, if the home were to be preserved, the juxtaposition of several new mansions and an historic residence would be unsightly.

My home is situated directly across the waterway from the subject property. This has several ramifications. My family has occupied this extensive property for well over forty years. As such, we have had both the pleasure and the opportunity to observe, on a daily basis, the many hawks, osprey, herons and other indigenous wildlife that have made their home in the woods, mangroves and natural shoreline of 6801 Granada. Has there been any consultation with DERM regarding the proposed destruction of this rare habitat? While a residence may be preserved, the destruction of the vegetation and the interminable construction that would follow will surely destroy the natural habitat of many of Coral Gables long time animal, avian and aquatic residents. I would be happy to speak to any DERM personnel that may be brought into this project.

The attempted lot splitting involved here would also negatively impact the value of my property, and that of my neighbors. In addition to the impact that years of heavy construction would have on the value of the homes in this area, the loss of the beauty of the rare natural landscaping of 6801 would have a tremendous impact on the entire ambiance of this section of the waterway. I would invite you to view the property personally from the waterway to realize the full impact of the destruction of this vegetation.



Another factor militating against this development is the very location of the property. The lot is located at the only wide water turn around before the Hardee bridge. Presumably, the proponents of this development envision access to the waterway for its multiple residents, entailing the construction of docks for large boats. Lining the turn around with large boats would impede the ability of any boats too large for the Hardee bridge to turn their crafts around safely before reaching the bridge.

The long time Granada residents of the property directly across the waterway from 6801 Granada currently have a small unused dock. That multiple acre property has one home on it, as does mine. If the lot splitting of 6801 is approved, what is to prevent the sale and anticipated subdividing of these properties if such subdivision is allowed directly across the canal? Both Granada properties are on the corners of the turn around and have frontage on both the main waterway and the tributary that leads to the Granada bridge. If the subdivision precedent is set, can we anticipate four or five new docks and boats in what is now an unobstructed area? The Granada property across from 6801 is also heavily vegetated. Can we also anticipate the destruction of that old growth vegetation as well? The new owners of 6801 Granada bought a property that was zoned for single family housing. That is as it should be.

The former owners of 6801 previously attempted to subdivide their property. This request was appropriately and wisely denied by the City of Coral Gables. The current attempt is to subdivide under the label of a new plat that would accomplish the same result. A new name and approach, but the same result. The precedent that could be set in this case could ultimately result in the chopping up of many of the stately properties on the waterway. It does not take much imagination to realize the negative effect that this would have on one of Florida's most beautiful scenic and historic areas.

I feel relatively confident that the City will not allow the new nonresident offshore owners of 6801 Granada to so negatively impact the Coral Gables waterway and its many long time residents for pecuniary gain. However, I would greatly appreciate it if you would consider the concerns that I share with my neighbors and those who have spent many years

Comments received through May 9, 2007
City of Coral Gables - Planning Department
Public Comments re: 6801 Granada Boulevard (Tentative Plat Review & Building Site Separation)

Date Received	Name and Address	Object	No Objection	Comments (Verbatim)
19. 02 20 07	Lina and Richard Fichtenwald 6835 Granada Blvd Coral Gables, FL 33146	X		We do not need higher density along the Gables waterway, more docks and activity is a detriment for marine life. This has NEVER HAPPENED ON GRANADA, THE OLD HISTORIC STREET, known for it's Big <unreadable>
20. 02 20 07	Souheil & Jacqueline SKAF 6300 Riviera Drive Coral Gables, FL 33146	X		Subdividing this property into 3 lots will ultimately lead to 3 McMansions built on the edge of the Waterway: this would forever drastically alter the Natural Beauty and Unique Character of this historic part of the Gables Waterway. It would also set a precedent which would encourage the other Large Property Owners in the neighborhood to do the same, among them ourselves.
21. 02 20 07	Linda Zwiibel 6862 Granada Blvd. Coral Gables, FL 33146	X		<p>See attached:</p> <div style="text-align: center;">  <p>CITY OF CORAL GABLES PLANNING DEPARTMENT 2007 FEB 20 AM 9:34</p> </div> <p>TO: Coral Gables Planning and Zoning Board Mayor Don Stenick and Coral Gables Commissioners</p> <p>FROM: Linda (and Howard) Zwiibel 6862 Granada Blvd. Coral Gables, FL 33146</p> <p>As an owner I (and my husband, Howard) residents of Miami-Dade County since 1966 and a homeowner on Granada Blvd since 1990 have the following thoughts regarding the proposed changes to 6801 Granada Blvd.</p> <ol style="list-style-type: none"> 1. The Gables Waterway is considered an Historic Treasure of the Community. Any change of zoning to increase the structures or population density along the Waterway should be admonished and refused by the City of Coral Gables. If the historic nature of the Waterway is not understood by the current planning and zoning board and elected officials, my husband, Howard, a past member of the Board of Trustees of the Historical Association of South Florida, would be pleased to present this history to the Board. 2. The number of single family homes on Granada Blvd. is stable. Further increase in dwellings will increase traffic flow making the Boulevard a less attractive and less safe residential area. 3. When we purchased our home on Granada Blvd., we did so knowing we were facing the large lots with low density on the Waterway. Their architecture and this case historic architecture and eérage have been a factor in maintaining property values on Granada. By considering increasing the number of homes on these properties, the effect on property values will surely diminish. <div style="text-align: right;">  </div>

Gil Haddad
6800 Granada Blvd.
Coral Gables, FL 33146
305-665-7037

June 2007

Historic Preservation Board
City of Coral Gables
2327 Salzedo St. 2nd Floor
Coral Gables, FL 33134

Re: 6801 Granada Blvd.
Case File: LHD 2207-01
COA (SP) 2007-11

Ladies and Gentlemen,

Thank you for your service to our community.

Attached is a list of some of the residents who favor historic designation of this property and who, as well, oppose any replatting.

Many of us attended a scheduled meeting of the P+Z board in February. That meeting was aborted at the last minute at the request of the owner. Some then appeared for the April meeting of this Board, again to be informed that a tactic of the owner caused deferral. Now we are in the summer when many of us are away. An examination of the letters, petitions and other materials supplied to P+Z and to this Board will show the persistent concerns of residents on Riviera Drive, Granada Boulevard and throughout the neighborhood.

The following was conveyed to residents by owner's representatives at a neighborhood meeting:

- The property is owned by an offshore corporation,

- Former occupants, the Dalmau family, no longer reside at 6801 and have no connection with the owner corporation. (Apparently Mr. Dalmau sold the corporation some years ago and 6801 was one of the corporate assets.)
- The present owner has no intention of building anything at 6801
- The owner has angst because the real estate tax exceeds \$100,000 per year. (Seemingly the former control persons of the corporation elected to hold in the corporation for some business reason, hence waive the homestead exemption benefits available to Dalmau. Surely the due diligence of the present corporate owner upon acquisition disclosed and accepted the tax status.)

(A recent letter to your staff from owner's representative implied that the owner might not be able to maintain the property. We, that is, the City nor its citizens, know anything about the ownership of, or the fiscal condition of, the Antilles corporation.)

The property was listed for sale around 2005. Your staff has that brochure. The property is presently listed for sale for \$13.5 million. Your staff has the current website printout which recites: "Architecturally unique...renown architect Alfred Browning Parker – sits on lush, private grounds with mature oaks surrounded by coral rock wall... this property and location provide the opportunity to create your ultimate lifestyle in your private compound!" "Lot square feet: 128,502." So speaks owners authorized agent via representation to the public.

Submissions of so called site plans are weightless. This owner will not build. A new owner will not be bound.

Appreciation for two new lots is a gossamer ploy to elicit gratuitously provided comment by the City that “perhaps” one new lot would be considered. Thus seduced, in time, relentless assaults would plea for multiple splitting. Absent firm determination now, the future will see arguments for splitting and re-splitting. The economic realities are apodictic. One enormous McMansion would not only overwhelm the gracious Parker house, but would leave the present house area unmarketable for reasonable return forever (unless razed). Hence, the thrust for two new lots cannot pass because (a) the historic significance of the property would disappear, and (b) for all of the reasons expressed by P+Z staff in its declination report of 2-21-07. (As one example only, the “Flag-lot” issue remains. One “plan” submitted now makes the Parker house a Flag-lot).

The jeopardy of irrepressible persistence driven by economics as alluded to above is already seen in this record. In 2005 this owner sought a use determination. The owner was informed by the City in writing, in firm terms, that the permitted use was one single family residence. One expects that on advice of counsel owner did not appeal that determination. The matter rested for about a year. Owner then changed attorneys. A request for replatting was made that was blocked by the 2-21-07 P+Z staff report. All manner of meaningless revision and lobbying has occupied city personnel.

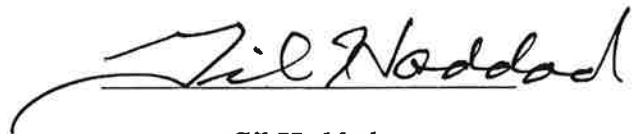
The owner knew, or should have known the status of the property as to use and as to historical significance. Did it buy to, in the main, acquire other corporate assets? Did it buy at a bargain to speculate? Did it over pay because of lack of simple inquiry?

The entire purpose of this assault on our neighborhood is to create some crack that can be pried again and again, whether by the owner or another.

Preservation is our middle name. If this property is a historical asset, and it clearly is, then the integrity of the whole must be guarded. Respectfully, it would be incongruous to designate the 6801 property historical, then to even hint that it might be divided for development purposes.

Thank you again. It is hoped that this Board will not be induced by stratagem to “touch wet paint.” That is, to conclude the obvious- that the application violates even minimal standards(*) for historical preservation, yet, to be good fellows, suggest that owner try this or that alternative approach. That is the bait that conceals this hook.

(* see: zoning codes – 3-1103; A[1,4,5]; B; C[1,2].)

A handwritten signature in dark ink, reading "Gil Haddad". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Gil Haddad

List of Persons who have written to The City, or signed a petition, or appeared at hearing
in opposition to any lot split (re-plot) of 6801 Granada.

Alfred Browning Parker, Architect
2306 S.W. 13th Street
Gainesville, FL 32608
Ph. 352-392-0205 (office) 352-271-6932 (home)

Tucker Gibbs, Attorney
215 Grand Ave.
Coconut Grove, FL
Ph. 305-788-2720 (c) 305-448-8486 (o)

Gil and Jackie Haddad
6800 Granada Blvd.
Coral Gables, FL 33146
Ph. 305-665-7037

Lina Eichenald
6835 Granada Blvd.
Coral Gables, FL 33146
Ph. 305-667-0666; 305-342-3464 (c)

Verda Green
6811 Barquera St.
Coral Gables, FL 33146
Ph. 305-665-7704

Amodo "Al" Acosto, PG
Vice President, Riviera Assoc. Inc. *
P.O. Box 43-0852
South Miami, FL 33243-0852
Ph. 305-668-8988

Linda and Howard Zwibel
6862 Granada Blvd.
Coral Gables, FL 33146

Wirt and Rebecca Maxey
6312 Riviera Drive
Coral Gables, FL 33146

Dr. Paul van Wallaghen
(R.N.A.)* 1111 S. Alhambra Circle
Coral Gables, FL 33146
Ph. 305-663-6736

Tony Rios
6930 Tordera St.
Coral Gables, FL 33146
Ph. 305-667-4957

R. Stuart and Caroline Susan Huff
6218 Riviera Drive
Coral Gables, FL 333146

Peg and Peter Hairston
825 S. Alhambra Circle
Coral Gables, FL 33146
Ph. 305-740-5562 740-2992 495-7219

Stacy Bold UC
6857 Granada Blvd.
Coral Gables, FL 33146

Patricia Cox
5900 Riviera Drive
Coral Gable, FL 33146

Lord Toussaint
(6700 Granada Blvd. – under construction)
152 S.W. 8th St.
Miami, FL 33130
Ph. 305-859-7449

Betty C. Temple
6006 Riviera Drive
Coral Gables FL, 33146

Rosalind Zacks
6212 Riviera Drive
Coral Gables, FL 33146

Michael A. Wollberg
6820 Riviera Drive
Coral Gables, FL 33146

Dr. Mark and Jossie Brown
702 S. Alhambra Circle
Coral Gables, FL 33146

Betty Fernandez
6750 Granada Blvd.
Coral Gables, FL 33146

Corali Lopez-Castrol
Bradley Hornbacher
700 S. Alhambra Circle
Coral Gables, FL 33146

Jan Sasso
6880 Granada Blvd.
Coral Gables, FL 33146

Eberto Vitier
6500 Riviera Drive
Coral Gables, FL 33146

Jorge Anzel
6636 Riviera Drive
Coral Gables, FL 33146

Chris Ruiz
Gregory Ruiz
Valentino Locke
Peggy Ruiz
6800 Riviera Drive
Coral Gables, FL 33146

Vivianne Wicker
6900 Granada Blvd.
Coral Gables, FL 33146

Jane F. Wilson
6867 Granada Blvd.
Coral Gables, FL 33146

Peter Rothenberg
6840 Granada Blvd.
Coral Gables, FL 33146

Blanca Suarez Maruri
6847 Granada Blvd.
Coral Gables, FL 33146

Mary Fenilg
6600 Riviera Drive
Coral Gables, FL 33146

Nancy Mensch
6289 Granada Blvd.
Coral Gables, FL 33146

Carlos Miranda
6945 Granada Blvd.
Coral Gables, FL 33146

Aida and Edward Lazzarin
6700 Riviera Drive
Coral Gables, FL 33146

Jackie and Sam Hannon
6950 Mira Flores Ave.
Coral Gables, FL 33133
Ph. 305-667-5324

Ralph and Eugenia Alzarez-Desens
6901 Mindello St.
Coral Gables, FL 33146

Michael Duchony
516 Hardee Road
Coral Gables, FL 33146

Stephanie Poet Cohen
6822 Altamira St.
Coral Gables, FL 33146

Leonor Suarez
6400 Granada Blvd.
Coral Gables, FL 33146

Martha Dare
6909 Tordera St.
Coral Gables, FL 33146

Jose and Dolores R. Hernandez
6335 Riviera Drive
Coral Gables, FL 33146

Re: 6801 GRANADA

Residents' Submission

Part A: 7.27.05 – City to Owner – 6801 is a single-building site

 2.12.07 – H/P to P&Z. Integration of Flora & Buildings. All
 Historic.

 8.26.07 – P&Z Summary to City Comm.

 9.26.07 – Formal City Resolution

 9.19.13 – H/P “Special” Certificate

Part B: Residents' Letters and Emails

Part C: Arborist Report

Part D: 1980 Warranty Deed. \$140,000 Cash

ROBERT D. BRENNAN

ARBORICULTURAL CONSULTING

3074 Kirk Street, Coconut Grove, Florida 33133 T 305-323-7342

10/20/2013

City of Coral Gables:
Planning Department:
Historic Preservation Board:

To Whom It May Concern:

My name is Robert D. Brennan. I live in Coconut Grove at 3074 Kirk St. 33133. By day I am the arborist at Fairchild Tropical Botanic Garden, after work I am an arboricultural consultant at Brennan Consulting Inc. and member of the American Society of Consulting Arborist. I am the president of the Tropical Arborist Guild, and the vice chairman of the Agricultural Extension support team. I am very familiar with the flora and fauna of the costal region of Miami-Dade County as I have studied and lived here for 58 years within a mile or so of the coast. Specifically, the property at 6801 Granada Blvd. in Coral Gables, Fl I have observed since being in Sea Scouts and meeting across the Coral Gables waterway in the early 1960's.

I have looked at and was embarrassed by, what is supposed to be a professional tree survey of the property at 6801 Granada Blvd. from 2006 prepared by the Lannes & Garcia Inc. survey company. These applications may be used to determine the location of trees it is my opinion that this was not prepared by an arborist or anyone who knows south Florida trees. The tree descriptions are way to vague to be useful as a tree survey.

I have also reviewed a 2013 drawing that locates trees at 6801 Granada Blvd. in Coral Gables Fl. I compared it to a drawing and property survey that shows small red circles indicating where trees are supposed to be but the drawings show no placement for a home or driveway to a structure placed on the land after sub division. The drawings suggest that many trees will be relocated or removed. I do not see any space on the property of where a house, drive, pool, decks and other building has been completed, to put relocated trees.

Moving trees properly so they will live a normal lifespan is a very expensive proposition especially for the nearly 100 trees that are on the Southern one third of the property. Any building or moving of the trees will destroy a habitat for migratory birds and other animals that keep our eco system in balance. There is also the possibility that there are endangered ferns and other plants on this property... If the same care is used to move the tree as was used to create the tree survey then the nearly one hundred trees will perish for sure.

ROBERT D. BRENNAN

Arboricultural Consulting Inc.

3074 Kirk Street, Coconut Grove, Florida 33133 T 305-323-7342

I have been asked to work and consult on many construction sites where there is tree damage has already occurred and trees are being well cared for.. It is very unusual for a corporation, without a personal face to make any effort to protect trees or the environment. It is beyond dispute that any movement of equipment will cause ground compression and crush root and kill the trees many years in the future.

I met Alfred Browing Parker in the early 1970's and I respect his work because he included nature and invited it in to his drawings, plans and effect of his homes. Unlike the architects today who order the bulldozing of millions of dollars of trees because they do not understand the value growing in front of them. Mr. Parkers homes became part of the nature that surrounded them.

This property as it sits is an ecological, arboricultural and historical gem. It should be protected as a historic and ecological site because of its maturity, diversity and beauty. Every vote for dividing a piece of property this size is a vote for removing examples of the importance of this kind of display of nature. This property rivals the grounds at Four Fillies Farm for its diversity and uniqueness.

I would recommend that, competent people who know their jobs, do a tree, bird and mammal survey. I can recommend some people if you wish. Registered consulting arborist, or ISA Certified Arborist of great reputation. Board Certified Master Arborist.

I have walked the western perimeter and observed the property from the waterway; this property should be protected as is.

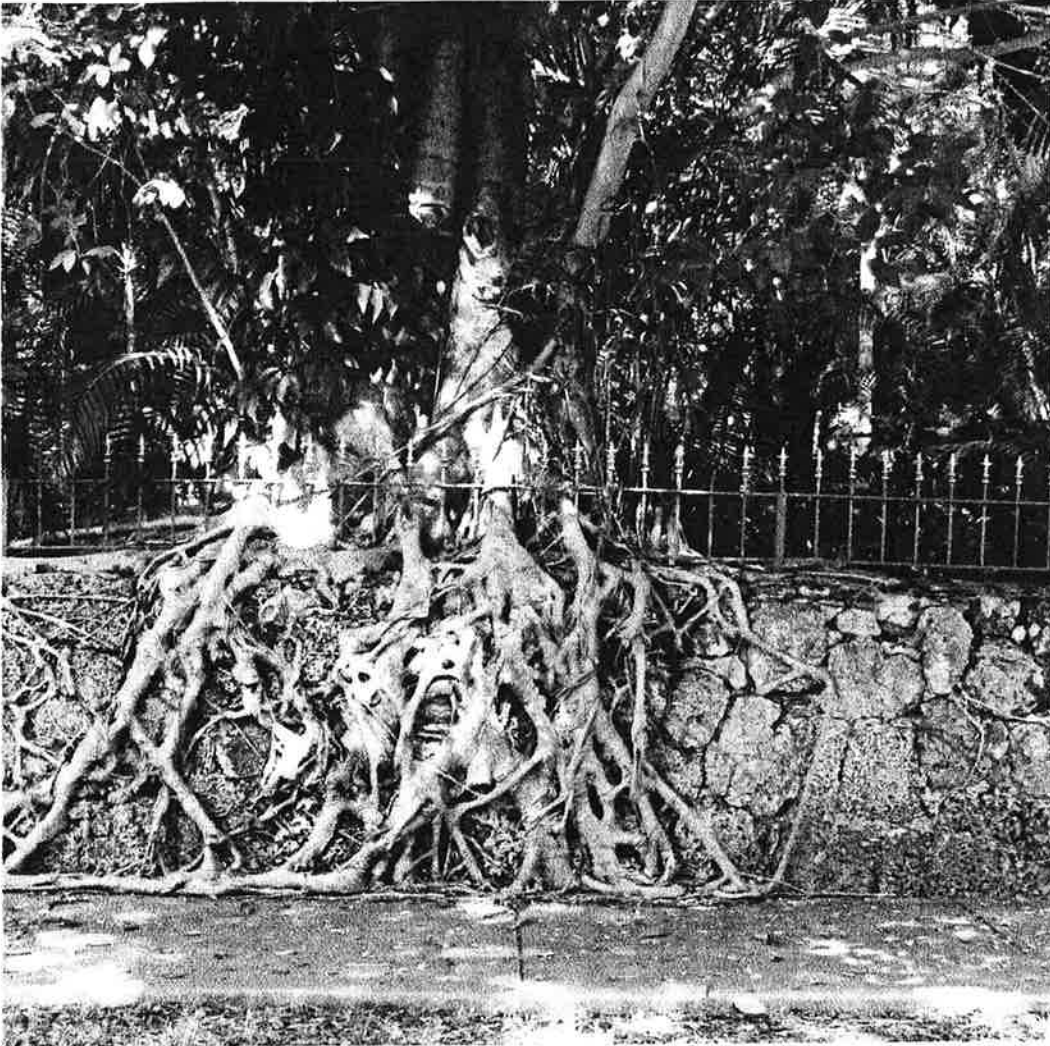
The photograph of the *Ficus aurea*, a Florida native, takes decades for the roots to entwine the rock like this while it helps support the wall.

This photo shows the western boundary near the south corner of the property...

ROBERT D. BRENNAN

Arboricultural Consulting Inc.

3074 Kirk Street, Coconut Grove, Florida 33133 T 305 323 7342



Yours in arboriculture,

Robert D. Brennan
FI-1059-A

Page 3

Re: 6801 GRANADA

Residents' Submission

- Part A: 7.27.05 – City to Owner – 6801 is a single-building site
- 2.12.07 – H/P to P&Z. Integration of Flora & Buildings. All
 Historic.
- 8.26.07 – P&Z Summary to City Comm.
- 9.26.07 – Formal City Resolution
- 9.19.13 – H/P “Special” Certificate
- Part B: Residents' Letters and Emails
- Part C: Arborist Report
- Part D: 1980 Warranty Deed. \$140,000 Cash

2800.00

80R125842

OFF 10742

1520

SPECIAL WARRANTY DEED

RAMCO FORM 02

This Special Warranty Deed Made the 2nd day of May A.D. 1980 by CITY NATIONAL BANK OF MIAMI, a National Banking Association, hereinafter called the grantor, to CALIFON CO. N.V., a Netherlands Antilles corporation,

whose postoffice address is c/o Leonard J. Kalish, Esq., 249 Catalonia, Coral Gables, Florida 33134, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00-----and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, releases, conveys and confirms unto the grantee, all that certain land situate in Dade County, Florida, viz:

Tract 2 of CARTEE HOMESTEAD, according to the Plat thereof, recorded in Plat Book 43, at Page 30, of the Public Records of Dade County, Florida.

SUBJECT TO:

1. Taxes for the year 1980 and subsequent years.
2. Conditions, restrictions, reservations, limitations, easements and utility agreements of record, if any, but this imposition shall not reimpose same.
3. Purchase Money Mortgage in the sum of \$560,000.00.

Together, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under the said grantor.

In Witness Whereof, the said grantor has hereunto set its hand and seal the first above written.

Signed, sealed and delivered in our presence:

E. Richard Alhadeff
E. Richard Alhadeff, Attorney
Broad and Cassel
Suite 1033
25 West Flagler Street
Miami, Florida 33130

CITY NATIONAL BANK OF
National Banking Association

By: *Bernard L. Eichenbaum*
Bernard L. Eichenbaum
Vice President

STATE OF FLORIDA,
COUNTY OF DADE

I HEREBY CERTIFY that on this day, before me, an

officer duly authorized in the State aforesaid and in the County aforesaid, to take acknowledgments, personally appeared BERNARD L. EICHENBAUM, Vice President of CITY NATIONAL BANK OF MIAMI, a National Banking Association to me known to be the person described in and who executed the foregoing instrument and he before me that he executed the same, on behalf of the Association.

WITNESS my hand and official seal in the County and State last aforesaid this May A.D. 1980.

RECORDED IN OFFICIAL RECORDS BOOK
OF DADE COUNTY, FLORIDA
SECOND VERIFIED
RICHARD P. BRINKER,
CLERK CIRCUIT COURT

This Instrument Was Prepared By:
E. Richard Alhadeff, Attorney
BROAD & CASSEL
Suite 1033
25 West Flagler Street
Miami, Florida 33130

NOTARY PUBLIC, State of Florida
My Commission Expires:

This Instrument prepared by:
Address:



BUILDING SITE DETERMINATION CRITERIA

[A]

#2. “That the building site created would be equal to or larger than the majority of the existing building site FRONTAGES of the same zoning designation within a minimum of . . . (1,000) foot radius of the perimeter of the subject property.

[B-1]

OR

extending no farther than the immediate vicinity,
which ever is less. [1.e. A v. B]

“Immediate vicinity” shall be defined as an area in which a parcel of land is located, that is functionally or geographically identifiable as a distinct realm [viz, sphere], place or neighborhood,

[B-2]

OR

An area within a radius of not more than one-half (1/2) mile from the subject property,
which ever is smaller.” [i.e. “immediate vicinity area v. ½ mile radius”]

Speaker’s Comment: The frontage chart shows “220” sites studied. Obviously contrary to B-1, above. See “immediate vicinity” . . . [E.S.]

BUILDING SITE DETERMINATION CRITERIA

#5. “That the proposed building site

[a.] MAINTAINS AND PRESERVES OPEN SPACE,

[b.] Promotes neighborhood compatibility,

[c.] Preserves historic character,

[d.] MAINTAINS property values, and

[e.] Enhances visual attractiveness of AREA.”

[E.S.]

Speaker’s Comment: Each of the five (a-e) clauses in criteria #5 is in conjunction [viz: “And], in contrast to criteria #2, which is disjunctive, [viz: “or”]. The clear intent is that the “proposed building site” meet each of the five requirements of criteria #5. Compare with criteria #2 which seeks the “lesser” or the “smaller” of the area for Frontage Study—The waterfront estates of Riviera Drive and Granada **Blvd.**, not the smaller properties of streets 1,000 feet or ½ mile away.



CFN 2004R0251893
DR Bk 22199 Pgs 0701 - 702; (2pgs)
RECORDED 04/12/2004 10:39:26
HARVEY RUVIN, CLERK OF COURT
MIAMI-DADE COUNTY, FLORIDA

This instrument prepared by:
Carlos A. Ziegenhirt, Esq.
150 Alhambra Circle, Suite 1240
Coral Gables, Florida 33134

MORTG AT BK. 27645
P. 180

Return to:

Carlos A. Ziegenhirt, Esq.
150 Alhambra Circle, Suite 1240
Coral Gables, Florida 33134

**CERTIFIED COPY OF CORPORATE RESOLUTION
AND INCUMBENCY CERTIFICATE OF
CALIFON CO., N.V. A NETHERLANDS ANTILLES CORPORATION**

STATE OF FLORIDA)
) SS
COUNTY OF MIAMI-DADE)

I Jorge Dalmau, Sole Managing Director of Califon Co., N.V. a Netherlands Antilles Corporation, do hereby certify that said corporation is a valid corporation in good standing and further certify that the following is a true and correct copy of a Resolution adopted by the Board of Directors of the corporation at a duly called meeting of the Directors, which meeting was a valid meeting called and held in accordance with the By-Laws of said corporation, at which meeting the following Resolution was unanimously adopted:

WHEREAS THAT CALIFON CO., N.V., a Netherlands Antilles Corporation, is the owner of the property described below and is executing a Mortgage in the amount of FIVE MILLION TWO HUNDRED FIFTY THOUSAND AND NO/100 (\$5,250,000.00) DOLLARS, in favor of UNION PLANTERS BANK, N.A. to secure a Promissory Note executed by Califon Co., N.V., a Netherlands Antilles Corporation, encumbering the property legally described as follows:

Tract 2, of CARTEE HOMESTEAD, according to the Plat thereof as recorded in Plat Book 43, at Page 30, of the Public Records of Miami-Dade County, Florida.

BE IT RESOLVED the JORGE DALMAU a/k/a JORDI DALMAU, as Sole Director of the Corporation is authorized and directed to negotiate the specific terms of any Guaranties and any other matter or changes in connection therewith and to execute and deliver on behalf of the Corporation all required documentation, security agreements, financing statements, certificates, estoppels, agreements, closing statements, and such other documents as may be necessary.

-Page Two-

IF FURTHER CERTIFY that the above Resolution was duly and regularly enacted at a meeting of the Board of Directors called for that purpose and held in accordance with the By-Laws of the Corporation and the statutes of the State of Florida; that the Directors of the Corporation have full power and authority to bind the Corporation pursuant thereto; that the Resolution is in full force and effect and has not been altered, modified, or rescinded and the following are duly elected and acting officers and directors of the corporation;

JORGE DALMAU - SOLE MANAGING DIRECTOR

IN WITNESS WHEREOF, I have affixed my hand and seal on this 25th day of March, 2004.

Califon Co., N.V., a Netherlands Antilles Limited
Liability Company
6801 Granada Boulevard, Coral Gables, FL 33146

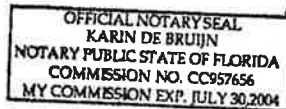
By: [Signature]
Jorge Dalmau
Sole Managing Director

STATE OF FLORIDA)
 SS
DADE COUNTY)

The foregoing instrument was acknowledged before me on this 25th of March, 2004, by Jorge Dalmau, as Managing Director of Califon Co., N.V., a Netherlands Antilles Corporation, who is known to me or who has produced his Driver's License as identification.

NOTARY PUBLIC

Sign: [Signature]
Print: _____
State of Florida at Large (Seal)





Tropical Audubon Society

The Voice of Conservation in South Florida

President

December 11, 2013

Jose Francisco Barros

Honorary Director

Members of the Planning and Zoning board:

Eibi Aizenstat, Chairperson, Marshall Bellin, Jeffrey Flanagan, Vice Chairperson, Julio Grabiell, Maria Menendez, Alberto Perez

Roger Hammer

City Hall Commission Chambers

Board of Directors

405 Biltmore Way

Coral Gables, Florida 33134

Alan Steinberg

Re: Application for lot split on 6801 Granada Boulevard

Brian Rapoza

Lewis Milledge, Esq.

Dear Planning and Zoning Board,

Gary Hunt

We are writing today to express our concern over the potential loss of over 90 hardwood trees and the historic character that has been protected at this location over the years.

Rafael Galvez

Elizabeth Smith

Our mission is to conserve and restore South Florida's ecosystems, focusing on birds, other wildlife, and their habitats, for the benefit of humanity and earth's biological diversity. In doing that we strive everyday to bring our native tree canopy from below 14% to over 30%, the current national average is 34%.

Katy Sorenson

Richard Cohen

Michael Thicksten

Pilar Rodriguez

Jaime Raich, Esq.

Florida and the Everglades ecosystems which include hardwood hammocks, are the most important as we are the bottleneck area of the Atlantic flyway where bird species are dependent on passing through every spring and fall during migration, safeguarding important tracts of trees is essential to the success of wildlife. It is up to the citizenry to protect and enhance our tree canopy, but as elected officials what you will vote on today will greatly impact the tree canopy of Coral Gables. Coral Gables has one of the strictest tree codes in Miami-Dade county and we were concerned when we heard from local residents just how many trees could be potentially lost by today's decision to split this property.

Sara Conde

Gary Milano

Martin Jensen

Sonia Succar Ferré

Advisory Board

Dennis Olle, Esq.

David Pearson

Dr. Thomas E. Lodge

George Gann

We have a number of individual members who have added to our database of information on this property over 60 years, we know that over 8 species of hawks have been spotted using this property, 4 species of woodpeckers including Pileated, large numbers of song birds during spring and fall migration, not to mention the species that have been spotted adjacent to the hammock and using the waterway such as numerous Ospreys and multiple heron species. This has been without formal data collection by our experts. Tropical Audubon would volunteer to conduct a survey of wildlife usage of this property to show just how important this area is. In order to conduct an accurate survey we would need to visit the site 2 times per month for a year and at different times of the day. We believe this data may be helpful to keep this property protected in perpetuity for future generations. Currently a concrete list of species does not exist to our knowledge and it is highly likely this property is home to some endangered and rare species in addition to those that are commonly seen in the area.

Executive Director

Laura Reynolds

Editor: Ana Lima

We have reviewed the tree survey from March 03-08-06 and the site plan. It seems to us that the maximum square footage is being proposed for development, thus leaving no place for relocation of the trees. According to the removal and relocation plans we count 93 hardwood trees that are at least 50 years of age or more, a more formal survey would need to be conducted as Robert Brennen suggested. According to a letter we received from an adjacent neighbor Lina Eichenwald, some of



these trees may have already been removed, thus making the mitigation less of a burden on the applicant. We request that a formal tree survey be conducted.

This application does not satisfy section 5 of the code: "That the proposed building site(s) maintains and preserves open space, promotes neighborhood compatibility, preserves historic character, maintains property values and enhances visual attractiveness of the area"

Coral Gables has gone to great lengths to maintain its historic buildings, tree canopy and sense of community by enforcing strict codes and guidelines for years making your city one of the highest quality of life locations in the county. Part of that success has been maintaining the historic character and tree canopy that makes people from all over the world want to live in these zip codes. The proof is your property values are the highest in Miami-Dade County. That will only change if you erode the strong sense of inherent value for things that do not have a price tag, like this remaining stand of trees and green space in the region that is so important for wildlife.

Your staff has recommended denial of this application citing the following: "Staff recommends denial of this application because it does not satisfy at least four (4) of the six (6) criteria per Zoning Code, Article 3, Development Review, Section 3-206, Building Site Determination, Subsection F. Staff has determined that the application satisfies only three (3) of six (6) of the Zoning Code's criteria for review."

We also remind you that Resolution No. HPR165LHD201102 (adopted 06.21.07), which designated residence and entire property as a Local Historic Landmark. Granting a lot split and changing the zoning is just a way to get around this historic designation. We feel that the historic designation is not just about buildings but also the hammock and green space. We ask you to uphold that 2007 resolution and protect the entire parcel from destruction.

We ask that you uphold the staff analysis and the 2007 historic designation of the entire property and deny this application.

Please contact me if I can be of further assistance in this matter at 786-543-1926, or via e-mail at director@tropicalaudubon.org

Sincerely,

Laura Reynolds
Executive Director

Cc: Mayor Jim Cason, Vice Mayor William Kerdyk, Commissioner Pat Keon, Commissioner Frank Quesada, Commissioner Vince Lago, City of Coral Gables Attorney Craig Leon