

City of Coral Gables City Commission Meeting
Agenda Item E-1
July 1, 2025
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago
Vice Mayor Rhonda Anderson
Commissioner Melissa Castro
Commissioner Ariel Fernandez (Absent)
Commissioner Richard D. Lara

City Staff

City Attorney, Cristina Suárez
City Manager, Peter Iglesias
City Clerk, Billy Urquia
Assistant City Attorney, Gus Ceballos
City Architect, Juan Riesco

Public Speaker(s)

Sergey Kotelnikov, Appellant

Agenda Item E-1 [10:53 a.m.]

An Appeal to the City of Coral Gables Commission from the decision of the Board of Architect's Special Master hearing held on Wednesday, June 4, 2025, which affirmed the decision of the Board of Architects, denying the proposed garage door installation for the property located at 6901 Trionfo Street, legally described as Lot 16 and North ½ of Lot 15, Block 221, Coral Gables Riviera Section 13, according to the Plat thereof, as recorded in Plat Book 28, at Page 3013 of the Public Records of Miami-Dade County, Florida.

Mayor Lago: Mayor Lago: I apologize about that. Item E-1.

City Attorney Suarez: Item E-1 is an Appeal to the City of Coral Gables Commission from the decision of the Board of Architect's Special Master hearing held on Wednesday, June 4, 2025, which affirmed the decision of the Board of Architects, denying the proposed garage door

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installation for the property located at 6901 Trionfo Street, legally described as Lot 16 and North ½ of Lot 15, Block 221, Coral Gables Riviera Section 13, according to the Plat thereof, as recorded in Plat Book 28, at Page 3013 of the Public Records of Miami-Dade County, Florida. Mr. Mayor, if I may just give some background information.

Mayor Lago: Yes.

City Attorney Suarez: So, this is a quasi-judicial item. Mayor and Commissioners pursuant to Section 14-208.6 of the City Zoning Code, this appeal is based on the record of the hearing before the Board of Architects Special Master and shall not be a De Novo hearing. What that means is that no new or additional testimony shall be taken. This is an appeal based only on the record and as a reminder, your role in considering this appeal is, one, whether due process was afforded, to whether the essential requirements of law were met, and three, whether the Special Master's decision was based on competent substantial evidence. The Commission's role is to determine whether the Zoning Code was followed and whether competent substantial evidence supported the decision of the Special Master. After the Commission's review, the City Commission has four options as provided in the Zoning Code. The Commission can affirm the decision of the Special Master; the Commission can affirm with conditions; the Commission can override the decision of the Special Master, or the Commission can remand for further proceedings to the Special Master. The Mayor as Chair of the City Commission, with me as Parliamentarian, has issued a procedural order that was provided in advance to the Commission and the parties, pursuant to that procedural order, the appellant will be allowed 15 minutes for presentation, which shall be limited to the record before the Special Master. Next, the Assistant City Attorney as counsel for the Special Master and the City Architect will be allowed 15 minutes for presentations, also limited to the record below. Next, there will be time for questions by members of the City Commission to staff or the parties and then public comment will be allowed but will be limited to two minutes per speaker. Because the review of this appeal is not De Novo, public comment shall not be considered testimony in this case. Finally, there will be time for additional questions and discussion by members of the City Commission. As a reminder, this is a quasi-judicial item, so any inadvertent ex-parte communication should be disclosed.

Mayor Lago: Sir, good morning.

Mr. Sergey Kotelnikov: Good morning.

Mayor Lago: Thank you for being here with us.

Mr. Kotelnikov: Thank you for allowing me to speak in front of you today. My name is Sergey Kotelnikov, my address is 6901 Trionfo Street, Coral Gables. Before I begin, I just want to say it's my first time in front of the Commission and I really enjoyed the part where you commended lots of good organizations and individuals serving the city and I really appreciate you doing that. It was very uplifting and humbling. Now for the purpose of me being here today. I'm going to start with the most important thing. The reason I'm here and the reason I'm taking your time, and the reason I'm taking my time for this meeting is because I purchased this property ten years ago, since then

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me and my wife have been investing heavily time and money, resources in renovating this house bit by bit, part by part to make it modern, to make it safe, to also bring a lot of sustainability features to this property. We are talking about filters, sensors, materials, insulation, everything goes into a modern house that has a lot of sustainability features. So, imagine that ten-year project and what you are looking at now is the tail end of the ten-year project, the last part, and that's why I'm here. It's not about one little project; it's about a ten-year project for me and my wife. So, I guess what I would say next is, specifically what is the project? The project is a garage; the garage is the last area of this house. The house was built in the 1950s, the garage area was never renovated. You can imagine what that looks like after 70 years and requires serious renovation. The project itself is very simple; it is very simple. It's two windows and a large, but not large, but a hurricane-proof glass garage door. It's that simple. The Board of Architects denied my application for the glass garage door and the reasoning for that, according to the board, was that the glass garage door does not fit the character of the house, simply put. So, I want to make sure that the issue in front of you is very, very simple. I am not going to contend in this meeting that the glass garage door fits a 1950s Spanish-style house. Of course, there is some deviation from the original design when you put a modern feature like that. So, you do not have to worry about deciding whether or not it fits. The only question in front of you is if there is justification and other extenuating circumstances that would permit the installment of a glass garage door in my case, and I believe there are strong reasons that there are such circumstances and that the Board of Architects was incorrect in making its decision. I'm going to start with really two points that I'm going to bring to your attention and hopefully you will agree with me. First, we've been here today hearing a lot about sustainability and energy efficiency, and I really appreciate what this city is doing regarding this matter, it's very important, but sustainability doesn't just come at a citywide scale. It also comes at the level of individual residents. The big reason why me and my wife are requesting this glass garage door is because the garage is very, very dark, and the most energy efficient way to bring light into it is not through artificial lighting, but through a glass garage door. The other thing I wanted to make sure is clear to the Commissioners is, and I believe our City Architect will confirm, there is nothing in the code that prohibits glass garage doors. They've been done before. They've been approved before. It's just a question of whether or not it fits the house. So going back to my point, sustainability is very important to me and my wife, and we would like to install this door as most energy efficient way to accomplish our goal in renovating the garage area. There are two houses next to me within 200 yards and they are in the record, in the record of the special meeting that have solar panels installed on their roof that are clearly visible from the outside. I fully support solar panels. I think we should do more of that in residential properties, but my point to you Commissioners is that, that's just another feature we in the city allow, even though it represents a minor deviation from the character of the house, we do allow it, because we understand that solar panels is a good thing for the environment, it's a good thing for our city, and for our priorities. Same thing here with a glass garage door. Yes, it is a minor deviation from the appearance of the house, but it is a justified deviation. It's a deviation in good cause, to save a lot of electricity and to promote energy efficiency in our city. So, if the Board of Architects allows something as simple as solar panels in nearby properties, I think it is inconsistent for them to disallow a glass garage door. In both cases they are deviating and departing from the aesthetics of the house, but for a good reason and we should encourage that and not reject it. That's point number one. Point number two, there is a property nearby at 6910 Monardo Street, as you may know the area is right next to Sunset

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School. The entire community was built around 1950s, very similar style house, Spanish-style houses. This particular property is built right in the middle of that neighborhood. It's a large angular, modern design house. It clearly doesn't fit within the community. Now, I don't object to the house itself, each resident is entitled to their choices, but I think what is indisputable is that the Board of Architects did approve a property right in the middle of other houses that just does not fit the character of the neighborhood at all. It doesn't fit. When I asked Mr. Riesco, the City Architect about this, he said, "I'm going to quote from the script. He said, it's something the board experiments with on a weekly basis. They do allow architects to come with modern language, with different ideas, with transitional elements." So, the Board of Architects does experiment. It does allow from time-to-time modern elements that don't fit within the character of the neighborhood. I don't understand why one resident, when they come to the Board of Architects, receives the authority to experiment and another architect does not. I think in our city the design review standard should apply to everybody the same. I'm the resident who's been there for ten years. I deserve the same treatment as the other resident who is there, I don't know for how many years. It's really that simple. Again, I'm not complaining about that residents' choice of architecture, I just want to receive the same treatment. Lastly, I want to mention, preview before you because I know Mr. Riesco is going to be here in a minute presenting his argument and I think it will speed up the process if I address them in advance. One of his arguments was, look, this is a garage, you don't really need to worry about the garage. You have two windows. Why aren't your windows enough for you. Do you really need a garage that well-lit. In my view, it is not a relevant point to consider when a resident comes for approval of a property. We all deserve to live in comfortable, safe, well-lit spaces, and to say that, okay, this much light is enough for you and this much is too much. I think it's not a consideration that the board should in fairness take into the equation when making these determinations. His other argument was, and this is once concession that the board was willing to give me is, why don't we put one panel at the top of the garage area that goes horizontally that would be made of glass, everything else would be made of regular material, which I guess the board allowed in the past. My response to that is, same as to the arguments regarding the windows. One panel is great, but three panels is what really the space needs because it's really, really dark, and all I'm trying to do is to bring this garage area to the same standard of comfort and illumination as the rest of the house. And so, I think, while I appreciate Mr. Riesco's concession and his collaborative spirit in this process, I think that's just not enough. So, for those reasons, I request that you approve my proposal or reverse the decision of the board, and I welcome your questions. Thank you.

Mayor Lago: Thank you very much. Staff. Mr. City Architect, Mr. City Attorney, please join us. Thank you for being here. Good morning.

Assistant City Attorney Ceballos: Good morning Mr. Mayor, Vice Mayor, Commissioners, Assistant City Attorney Gus Ceballos. Joining me here is Juan Riesco, the City Architect. I'm going to go ahead and let him present the city's case and give you a procedural history of how we got to today.

City Architect Riesco: Good morning, everyone. Juan Riesco, City Architect. This appeal is for the replacement of an existing garage door and the addition of two windows in the garage space.

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The project was applied for on July 12, 2024. It's located at 6901 Trionfo Street, it's BLDR 24075826. The application was reviewed initially by staff and was disapproved and the comments provided to the applicant were that the proposed garage door, with all glass is not appropriate for the neighborhood, or the style of the existing residence. Staff also recommend using glass along the top portion of the door to provide daylighting in the garage space that the applicant is requesting. The applicant did not agree with that disposition. We had discussions and the applicant requested reconsideration at the board level. The applicant submitted and was reviewed on August 8th by two panels of architects, and they actually approved the application with the condition of providing glass only along the top of the door, again, to provide the applicant with his request for natural daylight. The applicant did not agree with that disposition from the board level and requested an appeal. The appeal was applied for August 16th. We had a conflict resolution meeting on August 28th with the applicant, City Attorney and myself to try to discuss solutions for the project and what I discovered at that conflict resolution meeting was the fact that the application was approved as noted, could not proceed in an appeal process because the project has to be rejected in order to be appealed. So, we explained that to the applicant, and we gave him the information. He went away for a couple of months, came back on December 10, 2024, and resubmitted the application, but submitted it for staff review instead of BOA review. So again, the recommendation was made, hey, you need to go back to BOA to get their formal disposition from them, since they are the ones that approved of the project previously and the applicant was looking for a rejection so he could appeal the process. The applicant submitted again in February in the same process and then they finally submitted correctly for BOA review on April 3rd. The application was disapproved or actually was rejected by the board at this time in accordance with the applicant's desires so he could proceed with the appeal process. The process continues now at the appeal level, and we had the Special Master meeting on April 29th, and the Special Master rejected the appeal again based on the facts that were presented. And so, from our perspective, at city level and in summary, we've had reviews by staff, have reviewed by myself, City Architect, had reviews by the BOA, two panels, two different panels actually reviewed the project, and also reviewed by a Special Master and the consistency of the dispositions have all been the same. Afford the applicant the ability to have the garage door with the glass along the top portion of the door, so he can meet his criteria for daylight, even though he's got windows that are also offering daylight into the space and so, we are here to answer any questions that you may have regarding the application or the procedure.

Assistant City Attorney Ceballos: If I may.

Mayor Lago: Yes sir.

Assistant City Attorney Ceballos: So, I believe the City Attorney already kind of addressed this issue about our position, really the posture of the Commission is before is very finite, meaning you can't put yourselves in the shoes of the Board of Architects, whether you think it's an appropriate design, whether you think it adds to the value to the property, or whether it's in context with the neighborhood. That's really not before you today. So, at the end of the day, reviewing the record, we believed the city that the Special Master's decision was grounded in competent substantial evidence, contained in the official record. Nothing that was described today refutes that. The

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essential requirements of the law were followed. The Special Master's hearings followed all the proper procedures. It was afforded due process to all the parties involved and the correct law was applied throughout the proceedings, and the decision was neither arbitrary nor capricious, but rather a reasoned determination consistent with the evidence and the applicable standards. The appellant mentioned extenuating circumstances, energy efficiency, sustainability, and solar panels. The city 100 percent supports all of these initiatives, but everything goes through the Board of Architects on a case-by-case basis. In some situations, it meets the criteria, in some situations it does not. As you heard from the City Architect and multiple levels, this has been reviewed and at no point did anybody think this was appropriate for the house, for the neighborhood, for the context. There was also mention of 6910 Monardo and previous approvals. Once again, that just goes back to the same point. The board reviews everything on a case-by-case basis. Just because something is approved next-door or a block away, or a mile away does not in any way create a precedent that the Board of Architects must follow. For those reasons, we believe that the decision of the Board of Architects should be affirmed, but if you have any questions for staff or myself, please let me know.

Mayor Lago: Thank you, Mr. City Attorney. Now, I'd like to open it up to any questions by the members of the City Commission.

Commissioner Castro: Through the Mayor.

Mayor Lago: Yes ma'am.

Commissioner Castro: The homeowner said that there were other glass doors that were approved.

City Architect Riesco: We have approved glass doors on other houses that are more modern or contemporary in style. This is a 1950s Ranch and quite honestly, a full glass door on that particular style of home is not appropriate and this is again consistent with the Board of Architects, myself, staff, Special Master, that's our contention. It's not that we are not allowing the glass door. It's just that we don't feel that in this particular case, and again, as discussed by the City Attorney, the case-by-case basis is what we do. We zero in on his particular home and also his neighborhood to see how that, the character of that neighborhood affects the house or vice versa, and it's our determination that this is not in compliance with the existing style.

Commissioner Castro: So, my second question, you probably just answered it now, but what was the criteria evaluated for you to say that it was appropriate.

City Architect Riesco: The applicant submitted photographs of the existing house so we could evaluate the design and the style of the home. The applicant submitted the NOAs product approvals for the actual product that he wished to install and based on review of those two items, really that dictate the decision-making process for us. The glass door is a very modern, high-end-looking industrial door with very small frames, a lot of glass area, and that's not complimentary to that, again a particular style of home from the 1950s. It's a whole different look, and so, we didn't feel it was appropriate. But there are garage doors that have panels that also have glass inserts that we

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deemed were applicable in this particular case, but of course the applicant did not think those were to his liking, I guess.

Mayor Lago: Thank you, Mr. City Attorney, Mr. City Architect. Any other questions, Vice Mayor.

Vice Mayor Anderson: I have a few questions. I understand I cannot put myself in the shoes of the Board of Architects or the Special Master and that other designs were considered, but procedurally if this was sent back to the Special Master and I know that during the Special Master process, other designs can be put forward, maybe with a...frame or more mat finish, more opaque glass, procedurally would this assist the homeowner more, would be faster.

City Architect Riesco: I'll let the City Attorney advise on procedural issues.

Assistant City Attorney Ceballos: I don't think it's a procedural question. Could the board remand it to the Special Master? – they could.

Vice Mayor Anderson: They could, but rather than starting over, would it be more efficient and less costly and faster for this homeowner to go back to the Special Master and try to compromise.

City Attorney Suarez: I think that's a question, sounds like a question for the City Architect and the property owner to see if there is something that they are willing to.

City Architect Riesco: I guess to respond to your question, our position is steadfast. This door is not something that we feel is consistent with that style.

Vice Mayor Anderson: But that's not my question.

City Architect Riesco: Okay. What is your question.

Vice Mayor Anderson: If the resident is willing to modify the door design, whatever it is, beefier frames, different color frame, more mat glass, etc., would it be beneficial for the resident, assuming of course he is willing to do that process.

City Architect Riesco: Again, in my opinion, I was under the understanding that the Special Master meeting is the decisive meeting and the response there is...

City Attorney Suarez: So, this Commission can remand it back to the Special Master.

City Architect Riesco: Oh, okay, okay.

City Attorney Suarez: With certain conditions.

City Architect Riesco: So, if it did go back to the Special Master, my recommendation from this point moving forward is that he would have to change the door type. I don't think there is anything

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available of what I saw in the NOA that is amenable towards something that will look more consistent with the house. It's just a very modern, high-end product that...

Vice Mayor Anderson: I understand. Now the question goes to the resident, is that something you're willing to do?

Mr. Kotelnikov: I would love to, if the Board of Architects would give me that opportunity. I'm open to whatever works as far as, so long as it's a glass garage door, whatever design the board would be comfortable with.

Mayor Lago: Madam Vice Mayor, if I may, I just want to add one point. My understanding and correct if I'm wrong, please, that you said here was, the applicant was afforded multiple opportunities to tweak his design and it wasn't that glass was not allowed on the garage door, it was just that a full garage door made out of glass was not allowed, and I have to be honest with you, I also stand with that. I think it would change the overall look of that home, and I don't think, in my opinion, it would fit into the neighborhood. I think that there can still be glass in a garage door that can be provided. I think the design can actually be put together that is complimented that still provides the illumination that you want in regard to the glass door, to the room. My house has solar, I know the Vice Mayor has solar, but we also had to abide by certain criteria, and I'll give you another example. The wall in my backyard, which I live on a corner, I tried to make it out of picket. I went to see Ramon Trias, who was then the Zoning Director and he told me, Commissioner, you are not allowed to do that. The code does not allow that because it requires since you have a swimming pool and you are on a corner that you have to have a solid concrete wall. The difference was close to \$30,000 additional. So, I had to abide by the code. If I had gone to buy picket, it would have saved me a ton of money, and by the way, I planted a hedge in front of it, so it's not as if you could really see anyways, at the end of the day. What I'm asking you is, if we can remand it back and have you work maybe it would not be completely solid, but maybe we can come to an agreement where 50 percent, 40 percent of it can be glass, provide you with the necessary light that you need that you are interested in achieving and we can maybe meet in the middle. I think that by saying the entire glass, you are not going to get my support on that, and I want to be very candid with you on that front, and I don't want to water down the code on that front, because then we'll start slowly slipping away in what makes the city, in my opinion special. We have standards here that set us apart from every other community.

Mr. Kotelnikov: May I address that comment.

Mayor Lago: Yes sir.

Mr. Kotelnikov: So, two things. I'm open to further conversations with the board on the design, but from what I understand from the City Architect is that he is not. He is saying, look beyond the top panel, I don't know if I'm misunderstanding your position.

City Architect Riesco: That's been the disposition from day one, that the top panel is acceptable in glass, it gives daylight to the room that he is requesting, yet it doesn't appear to be a full glass door. There are panels. It would be like maybe 20 percent to 80 percent ratio of solid to glass.

Mayor Lago: Madam Vice Mayor, you had anything else before I swing it over to Commissioner Lara.

Vice Mayor Anderson: I wish I had the option to go to glass when I put in my garage door. It wasn't even available then. I understand the need for light in the garage, especially when you have a hurricane and you have no power. Minimal lights, the amount of stuff we have stored in the garage. The effort here to send it back to the Special Master is to give you the opportunity to save time and money, okay, you are going to have to compromise, and the best thing about compromise is both parties don't necessarily walk out happy, but it saves you time and it saves you money.

Mr. Kotelnikov: I'm open to compromise, yes. It's just that I felt there was nothing further.

Mayor Lago: Mr. City Attorney.

Assistant City Attorney Ceballos: So, our only point is that, I'll be honest, it seems like he wants to go back to the board, because he is going to redesign this, it would be a new proposal. I would recommend that the City Commission, in our opinion, that the City Commission should affirm the decision and let him reapply to the Board of Architects, he'll get another opportunity to submit a new design, and he'll go back to the Board of Architects. I believe if our concern is wasting time and money, I think going back to the Special Master would be that because I still have not heard anything that meets the criteria of this appeal.

Mr. Kotelnikov: Can I address that.

Mayor Lago: If I may, just give me one second. If we affirm and he goes back to the Board of Architects, is there a cost associated with starting the process over again?

City Architect Riesco: We have the ability to waive that, if that's the will of the Commission.

Mayor Lago: I would ask for that. I would ask for that if possible.

City Architect Riesco: If the City Attorney would chime in on that. I have our process and procedures in place, but if there's an exception that you want to grant.

Mayor Lago: Out of respect for Commissioner Lara, he wanted to say a few words.

Commissioner Lara: Thank you both parties for stating your positions. We sit here in this body in an incredibly limited role, this is not De Novo, although sometimes it looks like it becomes De Novo in the conversation as it unfolds, and my preference, but I haven't made a decision yet, but my preference would be to short-circuit save time and money by not bypassing remand to the

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Master, because we were there, but we need a basis to go back if we are going to remand to the Master. If we are going to stick to a purely procedural review limited to the record, the only thing I can think of to perhaps put a hook in here is that the City Architect said that the position below was one panel of glass across the top was permissible, three panels were what the applicant requested. Is there something that I could be referred to that the Architect and the Master ultimately relied upon that one panel is enough, one inch more than one panel would be too much, that you put a very bright line on only the top, because what I'm wondering is whether that could be considered to be arbitrary to say, I'm okay with one panel, but no more, because what if it was one panel and a half, what if it was two panels. So, with the lack of, and I'm not saying there isn't, but for me the record doesn't show clearly why one panel was the demarcation line, therefore we may be entering into the world of arbitrary which would be a basis for me to consider taking it back to the Master.

City Architect Riesco: Can I respond to that. So, the way you've got to think about it is a garage door is normally 7 to 8 foot tall, it's divided into panels, horizontal panels, because it's a roll up door, so it has to be sectional. So, the concept here is that the first three panels are solid and the fourth panel is glass, so 25 percent of the door is allowing you to have daylight. Now, you also need to understand something beyond what we've been discussing which hasn't been addressed. A garage is a garage is a garage. Okay. It is a place where you store a car typically. It is not a usable space, it is not a functional space, it is not a space that's typically air-conditioned, normally. Again, according to our code, that is the definition of what a garage is, it is a place where you put a car. So, the concept and the discussion about daylighting, I get it. I've been in many garages that are solid, you have to turn on a light to be able to work in there to do stuff, to move around. This particular permit is allowing the applicant to have 25 percent glazing on the front garage door which I think is a west exposure, if I remember correctly, so in late afternoons the sun is going to be hitting that door and creating a heat gain and normally, again, 90 percent of the garages are not air-conditioned in this community. Some new construction and big houses that have high-end vehicles do air conditioning, but normally it's not a typical scenario. The applicant has also requested windows on the north side of the house which is great daylight because it's even distribution of light. You never get the glaring sun hitting your glass. From that perspective, the recommendation from our level to him has been, if you're looking for daylight putting them on the north side of the house, that's the most consistent light daylighting. And so, those things have been discussed, this has been vetted, this has been going on for almost a year now. I've met with the applicant on multiple occasions, we've had discussions and I've given him our opinion, number one, as City Architect, and also the opinion of the board, now the opinion of the Special Master and I think we are all in agreement, and the last thing I want to say is, again, going back to the point about the garage – you know, you're storing a car and what do most people do? – most people use their garage to store other things besides the car and the car sits outside and the garage becomes a storage facility. So, the concept of putting a glass door on a garage is almost counter-intuitive from an architectural perspective unless again, there is a different scenario going on in that garage. So, those are all the justifications and issues that we address when we review things and that's kind of the position that we have. I don't mind meeting with the applicant again. We've met multiple times, we've spent a lot of the city's resources on this on multiple levels, not just mine, and again, if the will of the Commission is for me to meet with him and try to resolve it again and

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come up with a different door, I'll be happy to introduce different products to him that I feel are more conducive to the style that maybe have a little more glazing, but again, that's not something we want to perpetuate, it's not something that this city wants to move in that direction where we want to have glass doors on our garages, because nine times out of ten you are not going to want to see what's in the garage.

Mayor Lago: If I may. What I recommend the Commission do is, they affirm, and they request that the applicant meet with the City Architect, waive the fee for the gentleman to reapply, so that we can find some common ground to address his concern, maybe find a different application. I think that's the best thing moving forward. Madam Vice Mayor.

Vice Mayor Anderson: I'll move that.

Mr. Kotelnikov: May I make one more comment.

Mayor Lago: Give me one second. We have a motion. Do we have a second. We don't have a second. Okay. The motion dies. I'll make the second for discussion purposes. Madam Vice Mayor, you're running this item.

City Attorney Suarez: You're seconding the motion?

Mayor Lago: I am.

City Attorney Suarez: So, you can second as Chair.

Mayor Lago: Okay. I think we have to come to a decision here. We've got to come to a decision here because at the end of the day, I think that this is a very slippery slope.

Mr. Kotelnikov: No, it's not. I disagree Mayor, I'm sorry.

Mayor Lago: I think it's a very slippery slope, in my opinion, I think that we have to be very thoughtful and be very careful in the process and I think that this is an option that allows the gentleman to go back to staff, sit down, there is no cost, we are waiving the fees. I think that's a good gesture and I think that we can find common ground. I think that if we start seeing a proliferation of garage doors 100 percent glass, you are going to see potentially a lot of things that are not within the code. What is that – you see it sometimes when you drive through the Gables. The person has their garage door open, its habitable space, you didn't want to say it, I said it. And again, there's a lot of things that are happening again that are done outside the code. So, I think we have to be very, very careful when we allow these types of uses, because again, what's next. You start seeing, well if you allow that, then why don't you allow this. So, I think our standards in the city is what has made the city again, the benchmark throughout South Florida and the State of Florida.

Commissioner Lara: Excuse me, Mayor. City Attorney should this be decided as a remand to the Special Master, it remains non-precedential, am I right. The decision reached ultimately by the Special Master should it be different.

City Attorney Suarez: Correct. Each case, each Board of Architect's application, each project is reviewed on a case-by-case basis and in accordance with the design criteria and the standards.

Commissioner Lara: Right. And in talking it through on the motion that we are discussing right now, I don't want to speak or go cross-purposes against what we are all doing here, because I think I can sense from the will of the Commission is that everybody wants to see if there is "Goldilocks" solution to this, right. It doesn't sound to me like the parties when they were running through the process were yielding to perhaps a compromise, and we want to save time, money and effort, and so, whether it's a remand to the Master or an affirmation and putting it through the process all over again, but with the waiver of the cost to help alleviate the obstacles associated with such a thing, I'm kind of like on the 50 yard line there, because either one of those two may work for me, but I'm glad that you answered the question, because one of the concerns the Mayor raised is, are we heading down a slippery slope or are we setting precedent. But my understanding and to reiterate your answer is that we do not set precedent by sending this back on a remand to the Master, any more than if we affirm and the process starts again, am I right.

City Attorney Suarez: Correct.

Commissioner Castro: Through the Mayor.

Mayor Lago: Yes ma'am.

Commissioner Castro: I don't know if maybe Cable TV can go ahead and put on the screen the picture where it shows the glass door and I was wondering, is there an option that you were shopping for glass doors for it to be mat, for it to be...

Mr. Kotelnikov: It's not transparent.

Commissioner Castro: But its shiny and it looks like a big overgrown glass door.

Mr. Kotelnikov: The problem is you have to take the image from the website, right, and when you apply it, it doesn't come across – it's not supposed to be shiny. It's not going to be shiny, it's mat. It's very non-transparent and in color will match the color of the house, almost identically. It's impossible to show that in an image because they don't provide you with the precise image that you actually will see on the street.

Commissioner Castro: Sorry. So, what I would be comfortable with is, I will move to then remand this back to the Special Master. I think that we can probably come up with a better solution.

Mr. Kotelnikov: I hope so, yes.

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Vice Mayor Anderson: Through the Mayor.

Mayor Lago: Yes.

Vice Mayor Anderson: We recently amended the Special Master procedure and there is a threshold at which it has to go back to the Board of Architects, based upon the assessment of our City Architect and how much if its materially different and one other point I wanted to add to the record is, when you put the lights on at night for any type of garage that has a glass door and I've seen them, you see the images of what's in there, opaque or not, you still see the images.

City Architect Riesco: The silhouettes.

Vice Mayor Anderson: The silhouettes of what's in there – the bicycles, the tools, everything else.

City Architect Riesco: Even with the opaque glass or the frosted glass.

Vice Mayor Anderson: Even with frosted glass, bronze glass, because I've seen them, that I've seen them usually on the side of a home, not the front of a home. So, there is a distinction there with a difference. So going back to the Special Master procedure, I'm going to ask the City Architect to appraise the other Commission members that weren't as involved and weren't on this dais at the time, what would be the criteria that you would use to determine whether or not a new drawing, a new proposal coming for a Special Master would have to be sent back to the Board of Architects anyway.

City Architect Riesco: The criteria would be that he would go back and select an alternative product.

City Attorney Suarez: I think the question is, the code provides that if the design of a project should change substantially as determined by the City Architect during the conflict resolution or Special Master hearing process, the Board of Architects shall be required to review the changes to the design. So, I think her question is at what point is it a substantially different design.

City Architect Riesco: Again, that would be up to the applicant to see what he's resubmitting. I can't make that judgement until I see what the proposition is. In my opinion, today, in today's meeting, based on the historical evidence of this project from a year ago, my recommendation holds firm, it's the top panel of the four-panel door. If you do the bottom panel, then you're at 50 percent and I think that's excessive. It's aesthetically awkward to have half glass and half solid. I don't think that's a viable proportion in terms of aesthetics only, in my opinion.

Assistant City Attorney Ceballos: What was your opinion on the appropriate type of door, because I think we are getting a little confused and now that we are getting into the weeds.

City Architect Riesco: Okay. So, the appropriate door in my position is a solid panel door that matches this particular ranch-style home.

Assistant City Attorney Ceballos: So, the glass at the top is the compromise by the Board of Architects.

City Architect Riesco: That's already the compromise. It's already been given. Like I stated a year ago, our first review by staff allowed that position. We said, hey, we understand that you don't want to put a solid door and it's okay to use the top portion of the door as glazing to give you natural daylight for the applicant what he wants. Now, that's not enough, it's not sufficient, it's not a high enough percentage, that criteria we don't delve into, because again, we're basing that position on the distribution and the sizes of the panels and the proportions of the door. There is a proportion issue here that's typically and historically is the top panel across the garage doors are glazed. That's it. Once you do 50 percent it looks awkward. Once you do 75 percent it looks worse and once you do a full glaze it's not appropriate for this style. It may be appropriate for a modern house, a highly modern, high-end, white box vocabulary, absolutely you can do this all day long, but on this particular style of home, I think contextually it's going to stand out.

Mayor Lago: Thank you.

Commissioner Castro: Through the Mayor.

Mayor Lago: If I may. We have a motion and a second on the floor.

City Attorney Suarez: I don't think we have a second.

Mayor Lago: I seconded.

City Attorney Suarez: Oh.

Commissioner Castro: And then there was another motion.

Mayor Lago: You have to hear the motion have to be placed already. So would you like to close out the conversation so we can hear the motion.

Commissioner Castro: Yes. So, if you do 50 percent and I'm trying to, like imagine here, if you do 50 percent, wouldn't it not look almost like a window instead, let's say only leave that up there.

City Architect Riesco: But it's not a window, it's a garage door; a garage door is a garage door, and a window is a window, and we don't want windows to emulate garage doors. That's not what we do architecturally in general or in this particular city. We are very true to the dynamics of the style of the home and the components that go to that home and this city is very strong and strict on materials, on types, on manufacturers and things of that nature and so we have our protocols and our standards and we try to reenforce that as much as possible and not deviate from that. We

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are always looking at new products, okay. We are always vetting things that come online to see what the applicability is, the appropriateness is, and sometimes like I said earlier in one of the statements that he quoted me experimenting, the board has the ability to allow things to come into play that may or may not been approved previously, but now they are in front of us and we're okay with trying new materials. There is nothing wrong with that, but it's a trial and error. In some cases that wins, in some cases it becomes something that's derogatory.

Commissioner Castro: And I 100 percent approve and respect your judgement, right, but I'm trying to reach a healthy medium, trying to see if there is any compromising here, if we send it back to the Special Master. Do you think that there would be?

City Architect Riesco: I don't know. I'm not the Special Master. It's hard for me to answer for somebody else. I'm not in that position. If you ask me, I'll give you my opinion.

Mayor Lago: So, if I may.

City Architect Riesco: I can't answer that.

Mayor Lago: I think the compromise is when we affirm and we swing it back to the city without any cost to the applicant to find a solution.

City Architect Riesco: I think that's a great idea.

Mayor Lago: I don't think anybody here is willing to approve a full panel, a full panel garage door and I don't want to go against the City Architect on 50 percent, so I think that reaffirming sends a message that we agree, we agree with the Board of Architects, we agree also with the Special Magistrate, that a full panel is not acceptable, at least for this product, for this design, and we are giving the applicant all the opportunity at no cost to have this heard again and to find a compromise.

Commissioner Lara: Thank you, Mr. Mayor. I'll give you my thoughts as I started with the original question, right, we are not sending De Novo, so we are incredibly restrained, if we do our jobs in this capacity to what the record is. So, I'm trying to also echo the sentiments that we've heard everyone on this dais that seems to want to find a way, as does the city, to be compliant with what the applicant wants and what our code, which is strict for a reason mandates, and I applaud the city for reaching a compromise offer by having at least one panel, but I also applaud the applicant today saying that you would be willing to reconsider more consideration, more discussion, more exploration of opportunities to try and come to a compromise that maybe wasn't the case during the proceedings below. So that being said, and after having heard all the conversation and discussion today, I am more now in the camp of supporting the motion to affirm, with the condition that there will be a speedy review of the new application, if provided with a waiver of the costs, typically associated since its already been paid, this is sort of like a quasi-rereview, but it will be technically an affirmation of the decision below. So that's my view, Mr. Mayor.

Vice Mayor Anderson: Friendly amendment is accepted.

Mayor Lago: For sure, always. We're good.

Vice Mayor Anderson: I'm good.

Mayor Lago: Mr. Clerk, we have a motion, excuse me, before I do that, I apologize, we have public comment, any public comment.

City Clerk Urquia: No, Mr. Mayor.

Mayor Lago: Please close the public comment. We have a motion and a second. Please call the roll.

Commissioner Lara: Yes

Vice Mayor Anderson: Yes

Commissioner Castro: Yes

Mayor Lago: Yes

(Vote: 4-0)

(Commissioner Fernandez: Absent)

Mayor Lago: Thank you very much. I look forward to you meeting with the applicant as soon as possible, please, and by the way, thank you for your staff. Thank you for respecting the city, the standards and always finding a way to help the residents.

City Architect Riesco: Thank you.

Mayor Lago: Thank you so much.