

Owners' Presentation

on Appeal to City Commission from
Decision of Historic Preservation Board
to Designate Owners' Property
at 649 Palmarito Court

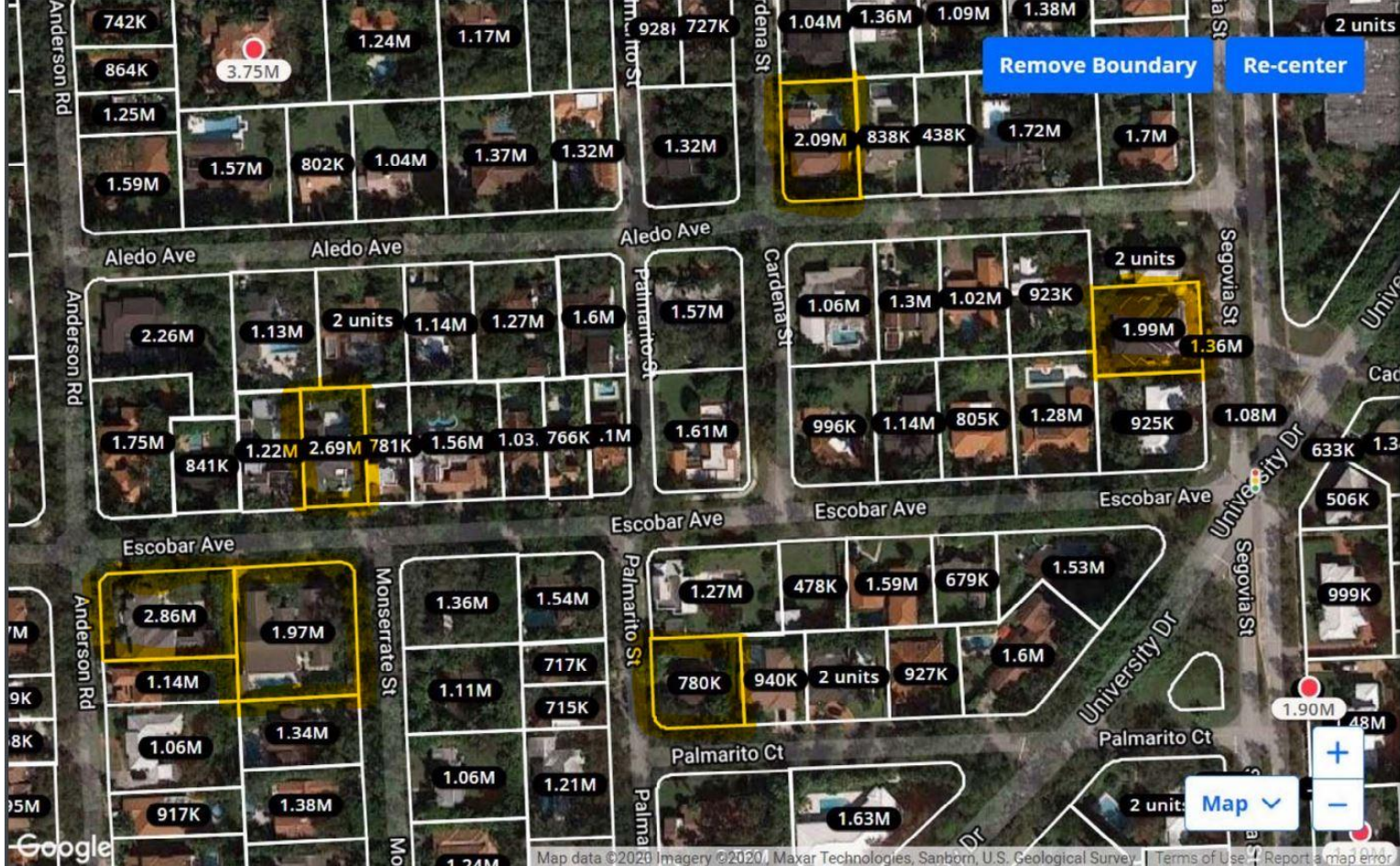
Submitted January 19, 2021

Background

- May Submitted plans to build a new family home
- Aug. BOA and Zoning approved plans;
Advised to obtain a letter of historic significance
- Aug. 27 Applied for a letter of historic significance
- Oct. 2 Property scheduled for Board review at October 21 meeting
- Oct. 21 Board directed Staff “to present a full report” after HPO requested
“Board’s input on the historic significance of the property”
- Oct. 26 Final public hearing scheduled for December 16
- Dec. 11 We first learned of the designation criteria claimed to be met
- Dec. 16 Property designated a “local historic landmark” by Board

Designation Causes Owners Loss of Substantial and Valuable Property Rights

- Designation will inordinately burden an existing use of the Property or a vested right to a specific use of the Property
- The very essence of property ownership is the right to use one's property subject to the same rules as similarly situated owners
- Designation will subject us to limitations, costs and burdens not borne by similarly situated owners
- Designation will substantially diminish the value of the Property
- Any purported benefits of designation inure solely to others at the sole expense of the Property's owners



Locations and Values of Comparable Properties

730 Escobar Ave, 740 Escobar Ave, 731 Escobar Ave, 637 Aledo Ave, 3510 Segovia St
 Within two blocks of 649 Palmarito Ct -- Source: Zillow.com (December 2020)

Grounds for Appeal

Board's decision to designate the Property should be overturned because:

- The final public hearing was not held within the 60-day time period required by Zoning Code Section 3-1107.G
- We were not given notice of the designation criteria claimed to be met until Friday, December 11, **five days before** the December 16 Board meeting in violation of our due process rights
- The Board designated the Property without making a finding of which of the designation criteria the Board deemed to be met
- The Board erred in designating the Property

Section 3-1107.G

The Historic Preservation Officer may require review by the Historic Preservation Board **if the building . . . to be demolished is eligible for designation** This determination of eligibility is preliminary in nature and the final public hearing before the Historic Preservation Board on Local Historic Designation **shall be within sixty (60) days from the Historic Preservation Officer determination of “eligibility.”**

Board's Decision to Designate Is Void Because Time Allowed to Hold Hearing Had Expired

- Under Section 3-1107.G, the HPO cannot lawfully schedule a property for Board review unless the HPO has first determined that the Property is eligible for designation
- As the HPO first scheduled the Property for Board review on or before October 2, the mandatory 60-day period for holding the final public hearing expired on or before December 1

Board's Decision to Designate Is Void For Violating Owners' Due Process Rights

- Due process requires notice that is reasonably calculated to apprise us of Staff's claims of historic significance and to afford us a fair opportunity to present our objections
- No notice of Staff's actual designation claims was given until the very last day allowed for the submission of documentary evidence to the City Clerk under Section 3-304.C -- **a mere five days** before the December 16 hearing

Decision to Designate Is Void Because Board Failed to Determine Which Criteria Were Met

- Section 3-1104.C.3 provides that “If after a public hearing **the Board finds** that the proposed local historic landmark . . . meets the criteria set forth in Section 3- 1103, it shall designate the property as a local historic landmark...”
- Section 3-1103 provides that the “eligibility of any potential local historic landmark . . . **shall be based on** meeting one (1) or more” of twelve enumerated criteria
- The Board thus cannot lawfully designate a property without first agreeing **as a Board** on which of the designation criteria were met
- Because the Board did not make the required finding of eligibility, its decision to designate the Property is invalid and arbitrary

Property Meets None of the Designation Criteria



Staff's Designation Report

The Report claims the Property meets criteria A.4, B.1 and B.2 of Zoning Code Section 3-1103 because the Property:

- Exemplifies the City's home-building trends during the New Deal era;
- Portrays the New Deal era environment, which was characterized by more than one distinctive architectural style; and
- Is significant as an example of a Neoclassical home

Designation Criteria A.4, B.1 and B.2

- Criteria A.4, B.1 and B.2 apply, respectively, if the **nominated** property or properties:
 - “Exemplifies the historical, cultural, political, economic, or social trends of the community;”
 - “Portrays the environment in an era of history characterized by one (1) or more distinctive architectural styles;” or
 - “Embodies those distinguishing characteristics of an architectural style ...”
- “The eligibility of any potential local historic landmark **or local historic landmark district**” must be based on one or more of the criteria enumerated under Section 3-1103

It Is Impossible for a Single Property to “Exemplify” the “trends of the community”

- The Staff’s Report claims the Property exemplifies the City’s home-building trends during the New Deal era
- Because no single property can exemplify any type of trend -- let alone the City’s home-building trends during the New Deal era -- the Property cannot possibly satisfy the requirements of criteria A.4
- Criteria A.4 was obviously intended for the designation of historic districts, not individual properties
- To claim the Property satisfies criteria A.4 makes no sense whatsoever

It Is Impossible for a Single Property to “Portray” “the environment in an era of history”

- The Staff’s Report claims the Property portrays the New Deal era environment, which was characterized by more than one distinctive architectural style
- Based on the Report, this environment would have consisted of a few 1920 era homes and an assortment of homes in predominantly “Minimal Traditional, Neoclassical and masonry vernacular styles along with a few Art Moderne and early Traditional Custom Ranch houses”
- Because no single property can portray such an environment -- particularly one characterized by more than one distinctive architectural style -- the Property also cannot possibly satisfy the requirements of criteria B.1

Property Does Not “Embody” “those distinguishing characteristics of an architectural style”

- The Report claims the Property exhibits the “hallmark” characteristics of the neoclassical style consisting principally of
 - (i) a full-height porch supported by columns,
 - (ii) symmetrically balanced front windows, and
 - (iii) an elaborate front doorway with fanlight and sidelights
- The reality is that the Property is undistinguished in its every feature

Property Lacks the Hallmarks of Neoclassical Style

- The Property's columned portico does not adhere to the "classical orders," the one true hallmark of the Neoclassical style
- The portico's slender, unadorned columns lack the gravitas and distinctive proportionality of authentic Neoclassical style
- The same portico is repeated cookie-cutter-like in nearby houses at 3701 Segovia St (1940), 2828 Segovia St (1956), 3801 Toledo St (1959), and 620 Palmarito Ct (1936)
- This type of portico is essentially a cosmetic, off-the-shelf design element used by builders to spruce up an otherwise ordinary house "on the cheap"

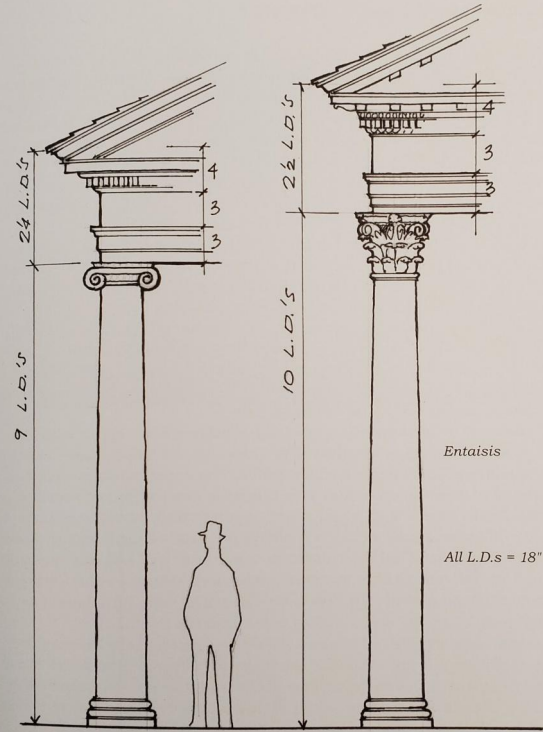
Distinguishing Characteristics of Neoclassical Style

“Identifying Features

Facade dominated by full-height porch with roof **supported by classical columns**; columns typically have Ionic or Corinthian capitals; facade show symmetrically balanced windows and center door.”

McAlester, Virginia, “A Field Guide to American Houses,” Alfred A. Knopf, 2013, at 435.

“Ionic” and “Corinthian” Classic Orders



IONIC 11 1/4 L.D.s

CORINTHIAN 12 1/2 L.D.s

The columns vary from seven to ten L.D.s in height. The entablatures are one-quarter the height of the column, and the divisions of the architrave, frieze, and cornice are governed by strict rules. The Greek Doric order was 7 1/2 L.D.s and the column only 5% and had no base.

Source: Baker, John Milnes, "American House Styles A Concise Guide" (The Country Press 2018), at 23.





Google



Image capture: Mar 2019 © 2020 Good

3701 Segovia St



Google

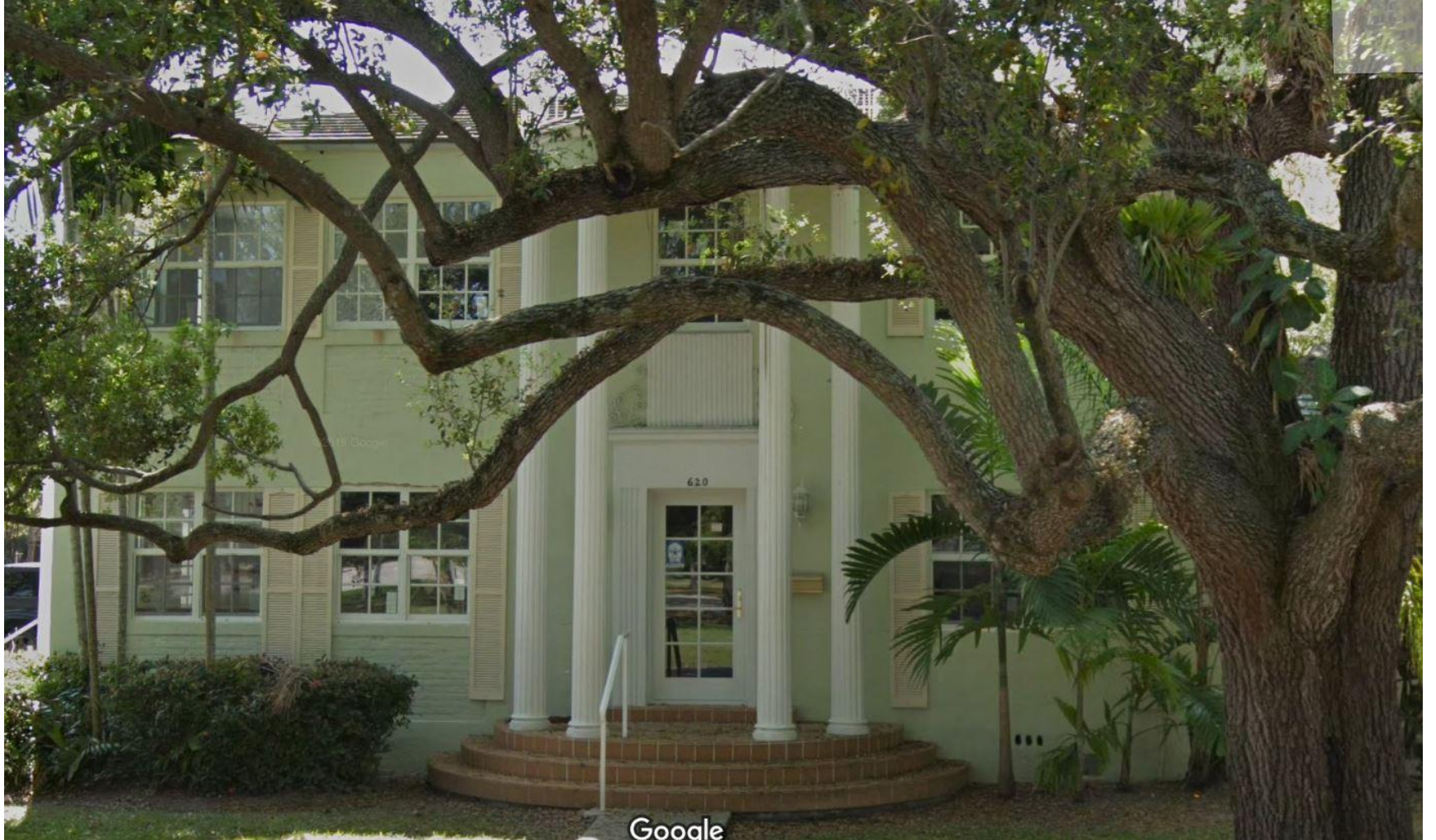
2828 Segovia St



Google

Image capture: Mar 2019 © 2020 Google United States Te

3801 Toledo St



Google
620 Palmarito Ct



620 Palmarito Ct (1949 FIU Coral Gables Digital Collection)

The Property's Other Features Are Also Undistinguished

- The front doorway is not “elaborate” as Report claims, as it lacks decorative surrounds such as the broken pediment seen at 3600 Granada Blvd
- The front doorway and window details are repeated spec-home-like in another Shanklin designed home at 3402 Toledo St
- Side wings and other elevations show no distinction



Elaborate Front Doorway with Broken Pediment and Decorative Surrounds at 3600 Granada Blvd



649 Palmarito Ct



3402 Toledo St has the same brick steps, fanlight, sidelights, and the same door and window details, layout, and proportions as 649 Palmarito Ct



649 Palmarito - West View



649 Palmarito - Southwest View



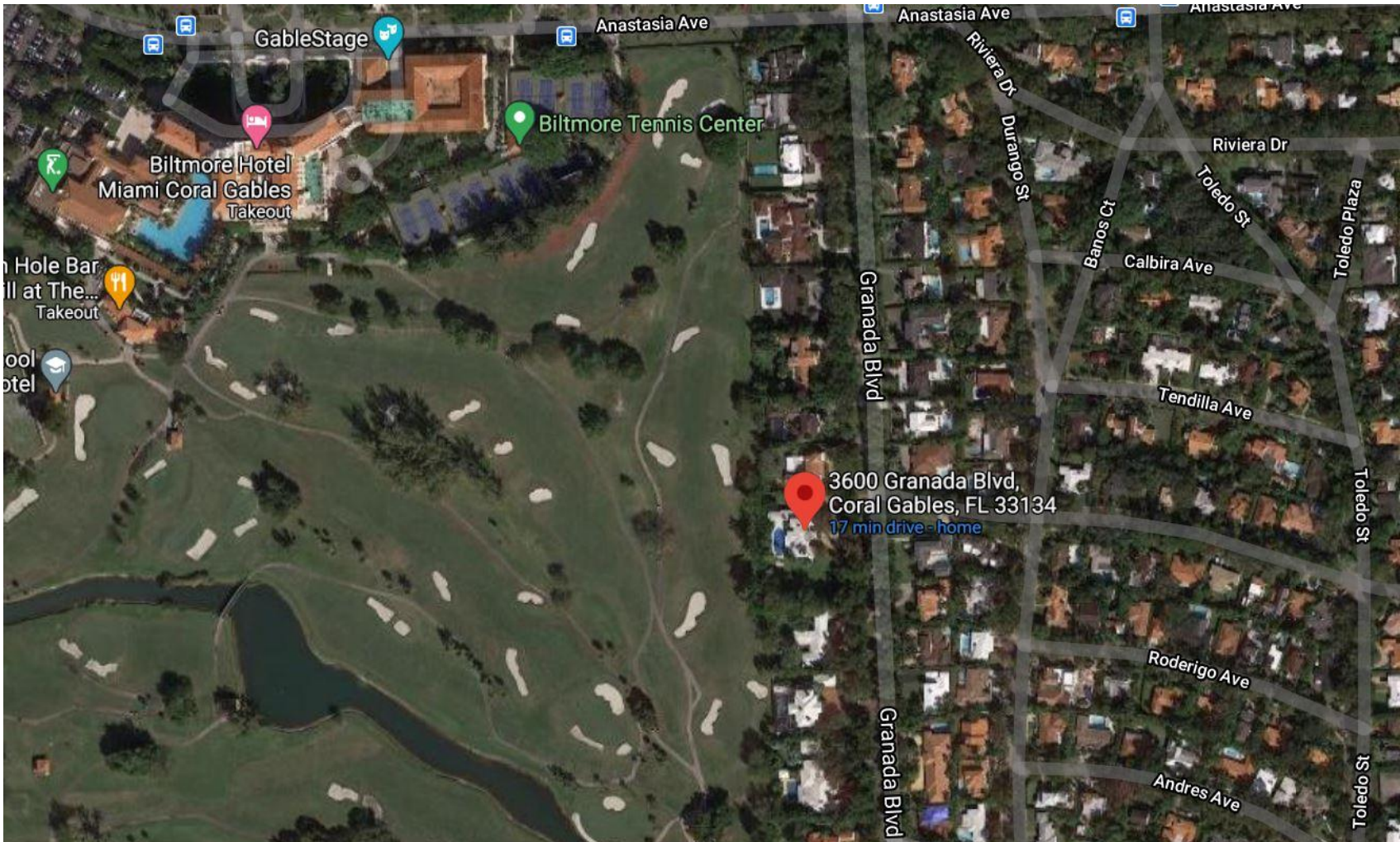
649 Palmarito - Northeast View

Simply Put

- These are not the hallmarks of a “significant example of a Neoclassical home”
- These are the hallmarks of a developer more interested in his profit than adherence to a true architectural style
- Such a property does not merit “historic” status

Property Lacks Prominence and Grandeur of Scale

- The Report repeatedly claims the Property is located on a “prominent corner”
- The reality is that the Property (10,500 sq ft) lacks both the prominence of location and the grandeur of scale typically associated with Neoclassical homes such as those at 3600 Granada Blvd (47,500 sq ft), 3502 Alhambra Cir (23,120 sq ft), and 3701 Segovia St (17,100 sq ft)
- Each of these homes sits on a handsomely sized lot along one of the City’s most storied and frequently travelled thoroughfares, the very essence of prominence
- The Property shares none of these attributes



GableStage

Anastasia Ave

Anastasia Ave

Anastasia Ave

Biltmore Tennis Center

Biltmore Hotel
Miami Coral Gables
Takeout

Hole Bar
at The...
Takeout

ool
otel

3600 Granada Blvd,
Coral Gables, FL 33134
17 min drive - home

Granada Blvd

Granada Blvd

Riviera Dr
Dunango St

Banos Ct

Riviera Dr

Toledo St

Toledo Plaza

Calbira Ave

Tendilla Ave

Toledo St

Roderigo Ave

Andres Ave

Toledo St

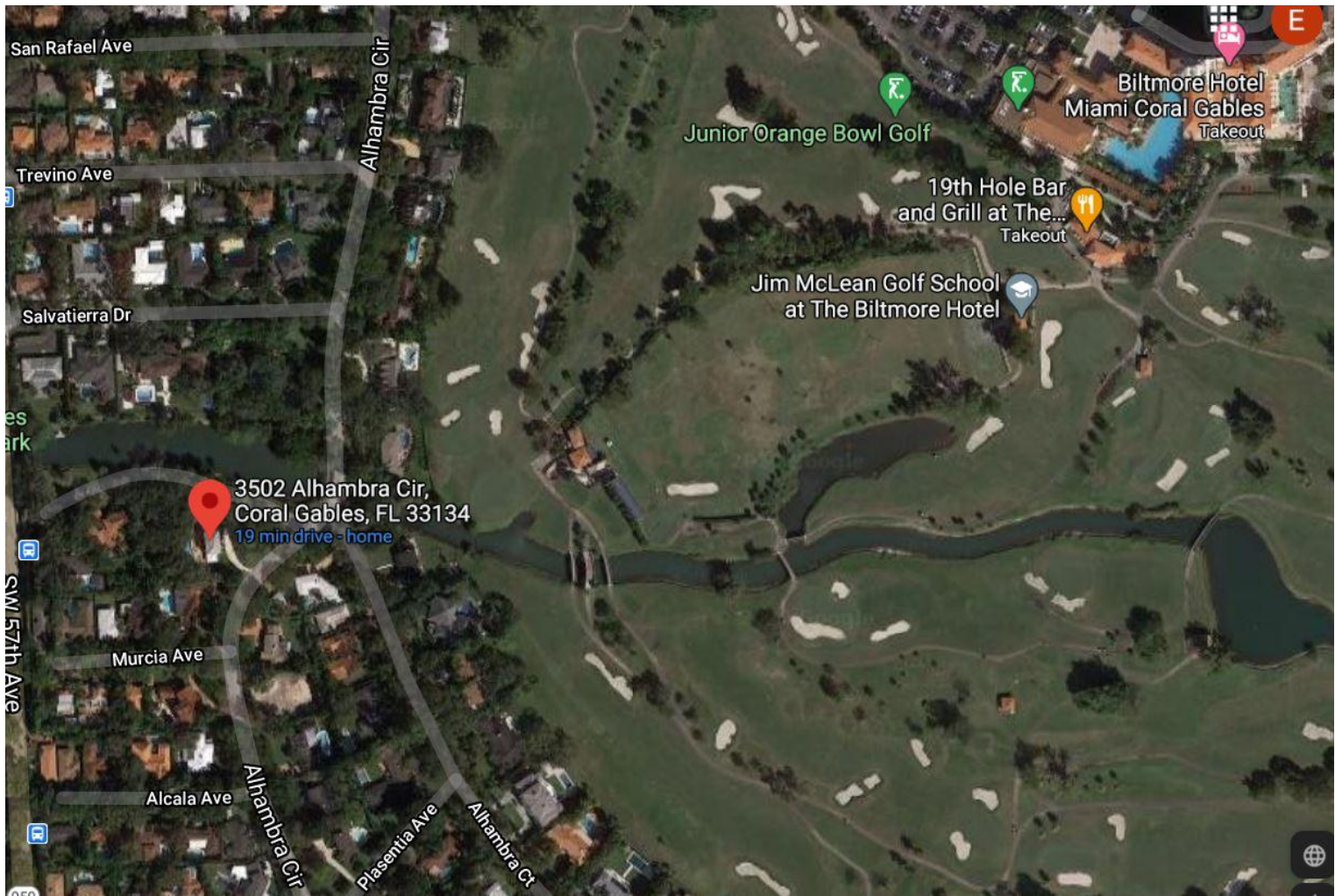
Miami-Dade Property Appraiser

Property Address: 3600 GRANADA BLVD, Coral Gables, FL 33134-6348



3600 Granada Blvd
Coral Gables, Florida
[View on Google Maps](#)





San Rafael Ave

Trevino Ave

Salvatierra Dr

es
ark

SW 57th Ave

Murcia Ave

Alcala Ave

Alhambra Cir

Alhambra Cir

Placentia Ave

Alhambra Ct

3502 Alhambra Cir,
Coral Gables, FL 33134
19 min drive - home

Junior Orange Bowl Golf

Biltmore Hotel
Miami Coral Gables
Takeout

19th Hole Bar
and Grill at The...
Takeout

Jim McLean Golf School
at The Biltmore Hotel

E



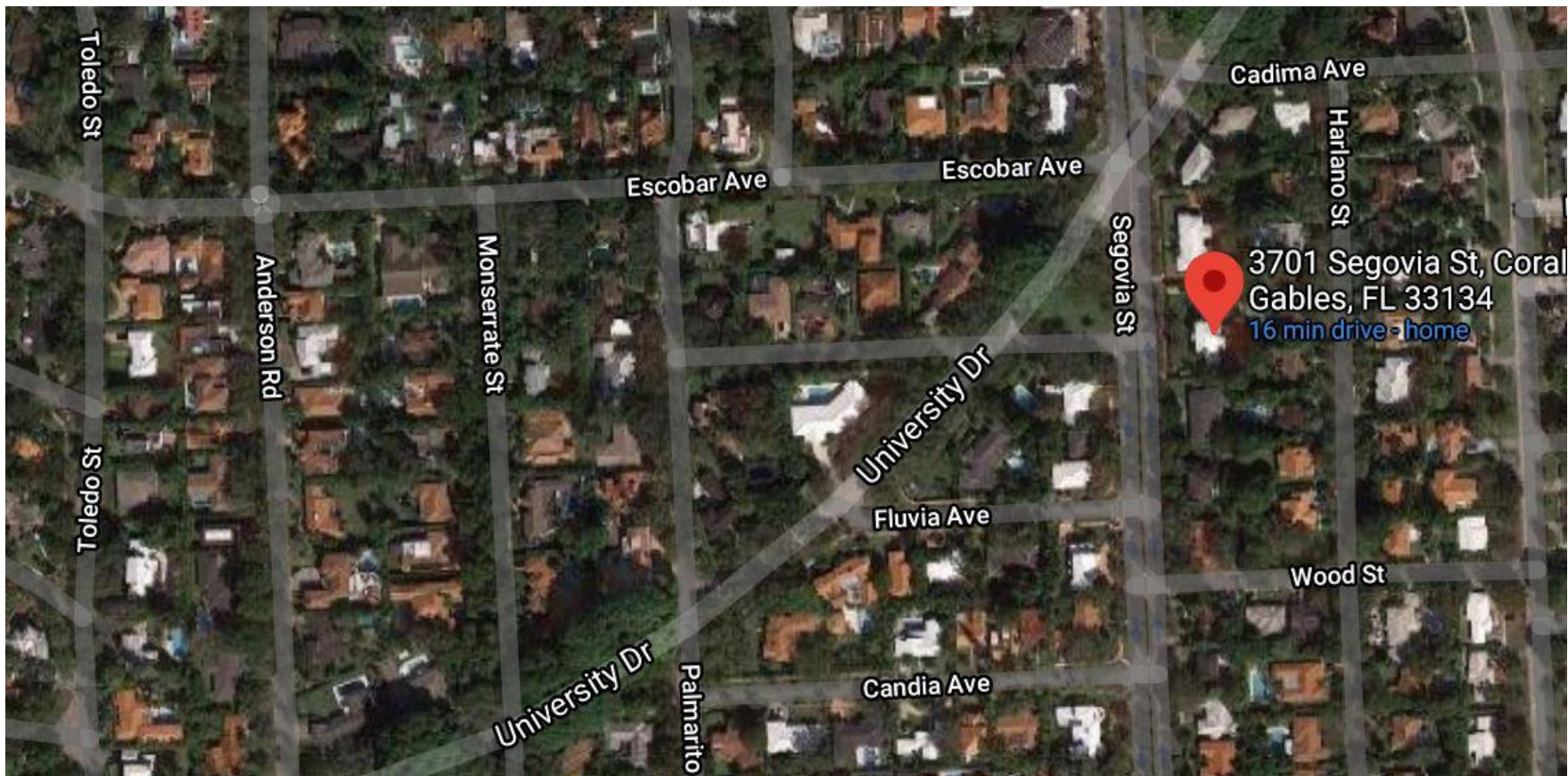
Miami-Dade Property Appraiser

Property Address: 3502 ALHAMBRA CIR, Coral Gables, FL 33134-6214



3511 Alhambra Cir
Coral Gables, Florida
[View on Google Maps](#)





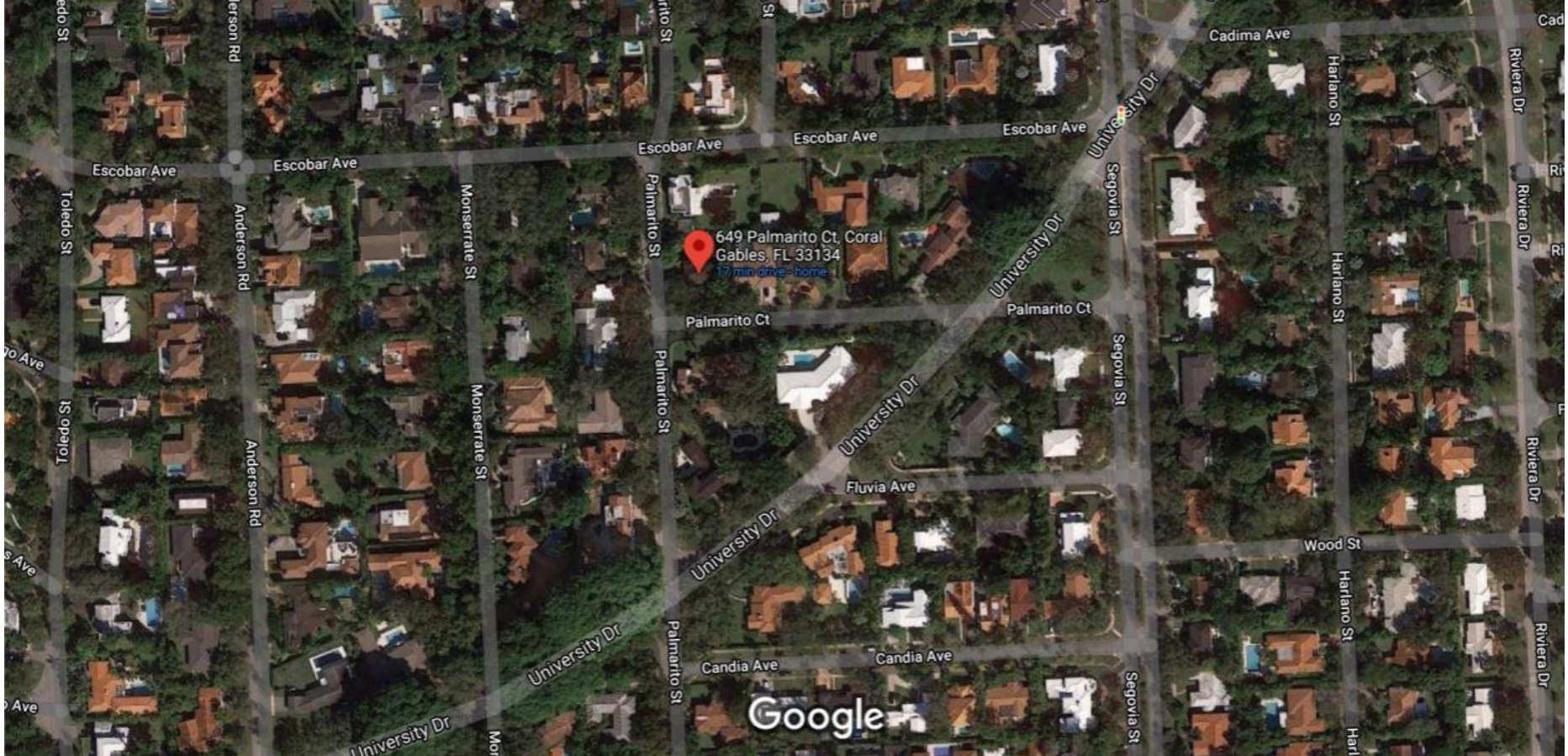
3701 Segovia St, Coral
Gables, FL 33134
16 min drive home

Miami-Dade Property Appraiser

Property Address: 3701 SEGOVIA ST, Coral Gables, FL 33134-7034







649 Palmarito Ct, Coral Gables, FL 33134
17 min drive home

Google



641 PALMARITO
CT, Coral
Gables, FL
33134-7026

649 Palmarito Ct

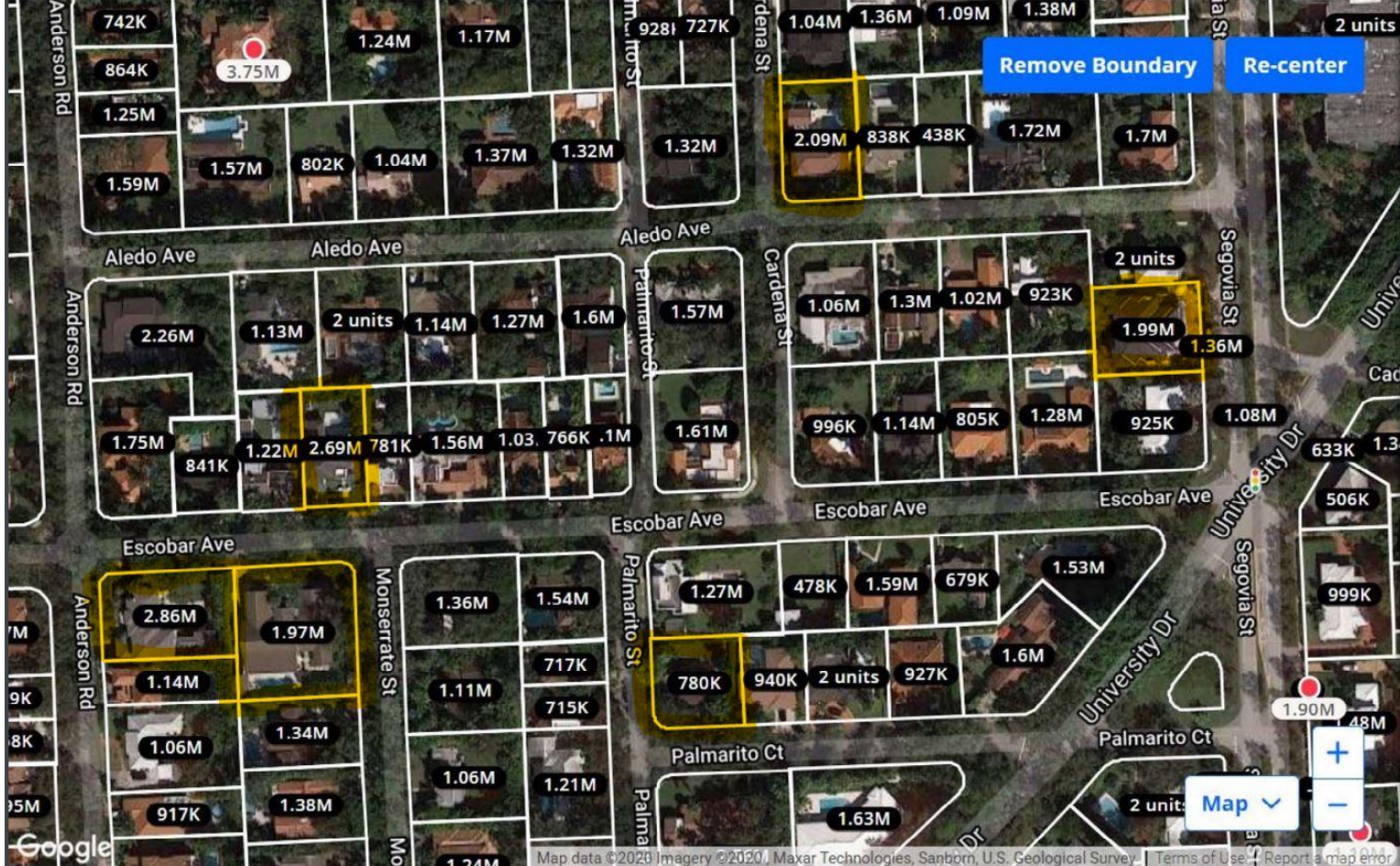


© 2021 Google - Terms of Use - Report

649 Palmarito Ct

Comparable Properties Found **Not** To Be Significant

- The City has allowed in recent years demolition of **no fewer than five comparable houses within two blocks of the Property**: 740 Escobar Ave (William H. Merriam), 730 Escobar Ave (Curtis E. Haley), 731 Escobar Ave (Leroy K. Albert), 637 Aledo Ave (William Martin), 3510 Segovia St (Howard B. Knight).
- These include three “prominent corner” lot homes, plus homes by “notable” designers
- 730 Escobar Ave was substantially similar to the Property



Locations and Values of Comparable Properties

730 Escobar Ave, 740 Escobar Ave, 731 Escobar Ave, 637 Aledo Ave, 3510 Segovia St
 Within two blocks of 649 Palmarito Ct -- Source: Zillow.com (December 2020)

730 Escobar Ave Deemed **Not** Significant, Yet Had All the Same Characteristics as the Property

- 730 Escobar Ave:
 - Had all three of Staff's Neoclassical hallmarks: (i) a full-height, columned porch, (ii) symmetrically balanced, shuttered flanked front windows, and (iii) an actual elaborate front doorway
 - Designed by "notable" architect Curtis E. Haley, who also designed the Neoclassical home at 3600 Granada Blvd
 - Located on 21,600 sq ft, "prominent corner" lot
 - Was representative of the building trends and environment of its time (1951)
- To claim the Property is "significant," but 730 Escobar Ave was not significant, simply cements the arbitrary nature of the Staff's Report and the Board's decision to designate the Property



730 Escobar Ave - Curtis E. Haley Designed "Neoclassical" Home

Conclusion

The Board's decision to designate the Property should be overturned and the Historic Preservation Officer directed to issue a letter of historic significance or other approval that would allow us to proceed with our plans to build a new family home because:

- The decision was not made within the time allowed
- The Staff failed to give adequate notice of its claims
- The Board failed to make the required finding of eligibility
- The Property demonstrably meets none of the criteria for designation