

MINUTES OF THE REGULAR MEETING
OF THE CITY COMMISSION
THE CITY OF CORAL GABLES, FLORIDA
JANUARY 10, 1961

The Commission of The City of Coral Gables re-convened in regular session at the City Hall at 3:00 o'clock P. M. on Tuesday, January 10, 1961 pursuant to recess on December 20, 1960, and in accordance with the provisions of Resolution No. 8597, passed and adopted November 15, 1960. Mayor Montgomery in the Chair; Commissioners Kerdyk, Murphy and Searle present. Also present were City Attorney E. L. Semple, City Manager L. W. Robinson, Jr. and City Clerk Loretta V. Sheehy. Also present was Commissioner James M. Hess who was installed as City Commissioner at this meeting.

The meeting was opened with invocation by Dr. Ladislau Biro, Coral Gables Baptist Church.

Recognition was made of the letter of resignation of former City Commissioner Winston W. Wynne. The following resolution was presented and read:

RESOLUTION NO. 8666

A RESOLUTION ACCEPTING THE RESIGNATION OF
COMMISSIONER WINSTON W. WYNNE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL
GABLES:

That the letter from Mr. Winston W. Wynne, dated January 3, 1961 giving his resignation as City Commissioner of The City of Coral Gables, Florida to take effect immediately upon his qualifying as a County Commissioner of Dade County, be and the same hereby is acknowledged, and the resignation of Commissioner Winston W. Wynne as a member of the Commission of The City of Coral Gables be and the same hereby is regretfully accepted.

Motion for its adoption was made by Commissioner Murphy, seconded by Commissioner Searle. Resolution was adopted by the following roll call: "Yeas" - Commissioners Kerdyk, Murphy and Searle; Mayor Montgomery. "Nays" - None.

The following resolution was then presented and read:

RESOLUTION NO. 8667

A RESOLUTION TO APPOINT A COMMISSIONER IN
PLACE AND INSTEAD OF COMMISSIONER WINSTON
W. WYNNE, RESIGNED.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL
GABLES:

RESOLUTION NO. 8670

A RESOLUTION UPHOLDING THE RECOMMENDATION OF THE ZONING BOARD AND DENYING AN EXCEPTION TO ORDINANCE NO. 1005, KNOWN AS THE "ZONING CODE"

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

That the following exceptions to the provisions of Ordinance No. 1005, known as the "Zoning Code", as amended, having been denied by the Zoning Board at its regular meeting of December 12, 1960, and a notice of appeal having been filed with the City Clerk on December 23, 1960, said appeal heard before the City Commission at its meeting of January 10, 1961;

Permit the construction of an automotive service station on Lots 45 to 48, inclusive, Block 28, "Section 'K'", (NE corner of Salzedo Street and Avenue Giralda) having the following exceptions:

- (a) Construction of a service station within 500' of another service station;
- (b) The proposed service station to face on Salzedo Street instead of Avenue Giralda;
- (c) A flat roof without a parapet on the service station building and the pump islands instead of constructed of tile as required by the Zoning Code;
- (e) The use of porcelain enamel panels on the proposed service station, as per submitted plans;

be and the same hereby are DENIED and the recommendations of the Zoning Board are hereby upheld.

Motion for its adoption was made by Commissioner Searle, seconded by Commissioner Kerdyk. Resolution was adopted by the following roll call: "Yeas" - Commissioners Kerdyk, Murphy, Searle and Hess; Mayor Montgomery. "Nays" - None.

Present at the meeting at this time was an exceptionally large group of residents and property owners who, through a Committee for Preservation of Present Zoning, had requested to be heard at the meeting of January 10, 1961. Acting as representative and spokesman for the group was Attorney John Wynn, who immediately presented petitions signed by approximately eighteen hundred residents, requesting that the Commission rescind their action taken at the meeting of December 6, 1960 in which permission was granted for construction of a 12-story apartment building at the SW corner of Biltmore Way and Cardena Street, and to also request that the Commission not grant any further permits for erection of building structures in excess of three stories in height without establishment of certain procedures. Attorney

1/10/61

Wynn argued at length that Coral Gables was designed originally as a residential area and not for the type of "high-rise" buildings as requested by the owner of such twelve story building. Also present was former Mayor W. Keith Phillips, who stated that while two different viewpoints exist in this matter he was asked to appear before the Commission on behalf of the residents to say that Coral Gables is known as a city of beautiful homes and the desire has been vehemently expressed that it so remain. Present as proponent of the plan was Mr. A. H. Sakolsky, owner and applicant, who presented a foundation building permit, which had been issued following Commission action on December 6, 1960, upon which he based his prerogative to enter into contractual arrangements for construction of such apartment building which had proved to be costly and expensive, and therefore, urged the Commission to stand firm on previous actions in granting him the permit. After all persons were duly heard, the following resolution was presented and read:

RESOLUTION NO. 8671

A RESOLUTION RESCINDING RESOLUTIONS NUMBERS 8622, 8626 AND 8660, PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF CORAL GABLES DEALING WITH CONSTRUCTION OF A MULTI-STORY BUILDING.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

That the following resolutions, having been passed and adopted by the City Commission of The City of Coral Gables at their regular meetings duly held and convened in the Commission Chamber, City Hall, Coral Gables, Florida, dealing with construction of a multi-story apartment building proposed to be located on Lots 6 to 22, inclusive, Block 10, "Biltmore Section" (SW corner of Biltmore Way and Cardena Street), Coral Gables, Florida, to-wit:

1. Resolution No. 8622, passed and adopted December 6, 1960 authorizing and permitting construction of an apartment building on subject property to be twelve stories in height, under certain terms and conditions;
2. Resolution No. 8626, passed and adopted December 6, 1960, approving the following exceptions to Ordinance No. 1005, as amended, and known as the "Zoning Code":
 - (a) Omission of a parapet on the canopy in front of proposed apartment building;
 - (b) A ground coverage of 36.4% instead of 35%;

1/10/61

- (c) A parking garage, to be constructed completely below grade, to extend from the east to the west property line and from the north to the south property line, not having any setbacks on the front, rear or side property lines;

all subject to final plans being approved by the City Commission for traffic layout and fire control.

- * 3. Resolution No. 8660, passed and adopted December 20, 1960, approving final plans of traffic flow to and from said proposed building in accordance with the terms of Resolution No. 8626.

be and the same hereby are RESCINDED.

Motion for its adoption was made by Commissioner Murphy, seconded by Commissioner Kerdyk. Resolution was adopted by the following roll call: "Yeas" - Commissioners Kerdyk, Murphy and Hess. "Nays" - Commissioner Searle; Mayor Montgomery. Mayor Montgomery asked that the record show that in voting "Nay" he maintains his previous position in this matter as he is of the belief that this community needs structures of this kind. Commissioner Hess asked in voting "Aye" that the record show he is influenced by his 1959 campaign platform as Commissioner of The City of Coral Gables in adhering to the zoning code and he is, therefore, of the opinion that before multi-story buildings are permitted certain standards should be established.

Present at the meeting was Mrs. Alice Soltysiak, a physical education teacher at the Deerborne School, a private school, to request the same privileges to play golf at the Biltmore Golf Course as those granted to teachers of the Dade County Schools. Following discussion the following resolution was presented and read:

RESOLUTION NO. 8672

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PERMIT AN INSTRUCTOR OF A PRIVATE SCHOOL ANNUAL GREENS FEES AT BILTMORE GOLF COURSE.

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

That the City Manager be and he hereby is authorized to permit Mrs. Alice Soltysiak, a physical education instructor at Deerborne School, a private school located at 311 Avenue Sevilla, Coral Gables, Florida, the same privileges as are given to coaches, athletic directors, teachers and principals of schools in Dade County Public School System and all other persons as described in Section B. Greens Fees - Annual, Biltmore (2) of Resolution No. 8484, passed and adopted August 2, 1960.

1/10/61

Dade County Commissioner W. W. Wynne a copy of his letter to the County Manager regarding proposed agreement on a ten year basis on use of the automotive inspection station by Dade County. The City Manager was also instructed to suggest to the County that inspections of trucks might be made on a fleet basis at the new inspection station.

Commissioner Hess then expressed his appreciation to the Commission for their assistance rendered to him on this the first day of his meeting.

Mayor Montgomery discussed with the Commission the request of Mr. Malcolm Lovell to make certain changes in the ordinance, passed and adopted on first reading on November 22, 1960, dealing with lots shown on a plat of "Re-Subdivision of Block 96, "Riviera Section Part Two", and it was the consensus that the request of Mr. Lovell be referred to the Zoning Board.

The following resolution was presented and read:

RESOLUTION NO: 8685

A RESOLUTION AUTHORIZING AN EXCEPTION TO ORDINANCE NO. 1005, AS AMENDED, AND KNOWN AS THE "ZONING CODE".

BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

That the following exception to the provisions of Ordinance No. 1005, as amended, and known as the "Zoning Code", having been recommended by the Zoning Board at its regular meeting of January 9, 1961, be and the same hereby is approved:

Permit the construction of a 6' high chain link fence, with 1" of barbed wire (3 strands) on top, to be located as follows: Begin at the West property line at the NW corner of the building, thence North 80', East 85', SE 31.60', S 55', thence W 35' to the NE corner of the building; located on "That Part of the Westerly Portion of Tract "A", Block 16, "Industrial Section" Described as Follows: Begin at the Most Southerly Corner of Tract "A", Thence North along the West Boundary of Tract "A" for a Distance of 210', Then East 85', Then Southeast 31.60', Then South 99.68', Then Southwest 135.63' to Point of Beginning" (369 Avenue Granello).

Motion for its adoption was made by Commissioner Kerdyk, seconded by Commissioner Searle. Resolution was adopted by the following roll call: "Yeas" - Commissioners Kerdyk, Murphy, Searle and Hess. Mayor Montgomery abstained from voting.

There being no further business, the meeting was adjourned.

APPROVED:

J. M. Montgomery
J. M. Montgomery, MAYOR

ATTEST:

Loretta V. Sheehy
Loretta V. Sheehy, CITY CLERK

1/10/61