

City of Coral Gables City Commission Meeting
Agenda Item F-1
January 26, 2021
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Pat Keon
Commissioner Michael Mena
Commissioner Jorge Fors

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
Assistant City Attorney, Gustavo Ceballos
City Clerk, Billy Urquia
Interim Historic Preservation Officer, Kara Kautz

Public Speaker(s)

Edmund Zaharewicz
Brett Gillis

Agenda Item F-1 [9:33 a.m.]

An Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on December 16, 2020, to designate the property located at 649 Palmarito Court, legally described as Lots 18 & 19, Block 139, Coral Gables Country Club Section Part Six, according to the Plat thereof, as recorded in Plat Book 20, at Page 1 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

Mayor Valdes-Fauli: Okay, we'll go to F-1.

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Agenda Item F-1 - Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on December 16, 2020, to designate the property located at 649 Palmarito Court, Legally described as Lots 18 & 19, Block 139, Coral Gables Country Club Section Part Six, according to the Plat thereof, as recorded in Plat 20, at Page 1 of the Public Records of Miami-Dade County, Florida.

City Attorney Ramos: F-1 is an appeal of the Coral Gables City Commission -- to the Coral Gables City Commission from the decision of the Historic Preservation Board on December 16, 2020, to designate the property located at 649 Palmarito Court, legally described as Lots 18 & 19, Block 139, Coral Gables Country Club Section Part Six, according to the Plat thereof, as recorded in Plat Book 20, at Page 1 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark. There has been a procedural order issued in this matter, as we have done in the past. There's one correction to the procedural order. The presentation by the appellant should occur first as the burden is on the appellant. This is an appeal, obviously, and then the presentation by Historic Preservation staff. In addition, the appellant may reserve some of those 15 minutes for rebuttal, if he so wishes. Both the Historic Preservation staff and the appellant will be appearing via Zoom, as City Hall is closed to the public. As the Commission knows -- but I will supply a reminder -- this appeal, according to the provisions of the Zoning Code is based on the record below. It is not a de novo appeal. Accordingly, any additional evidence that is provided today must be disregarded if it was not introduced below. Similarly, while this is a public hearing, the decision must be based on the record below and not on comments that you hear today from anybody other than the Historic Preservation board staff, City staff or the appellant. Also, as you know, but as a reminder, there are three things that you are looking for in reviewing this appeal: one, whether due process was afforded; two, whether the Historic Preservation Board's decision was based on competent substantial evidence; and three, whether the essential requirements of law were met. In that third prong, you're going to be looking specifically at whether the criteria was properly applied by the members of the Historic Preservation Board. With that, we may begin by calling the appellant, who should be available via Zoom.

City Clerk Urquia: He is.

Edmund Zaharewicz: I am here. Can the Commission hear me?

Vice Mayor Lago: Yes, sir. Good morning.

Mr. Zaharewicz: Good morning. Okay, so I need to share my screen before we get going. If I could find the right -- give me a second here, apologize. Alright. So, if I show this and I put in presentation mode. Okay, I understand that I have 15 minutes, and I will go as quickly as possible and reserve whatever time I have left for rebuttal. So, I would like to -- my name is Ed Zaharewicz, along with my wife. We're the owners of 649 Palmarito Court. We live there currently with our three children. I'd like to thank the Commission for the consideration of this matter. I would also like to sincerely thank the 66 wonderful residents of Coral Gables who signed our petition asking the Commission to overturn this decision to designate our property as a historic landmark. These residents represent nearly 30 percent of the households within 1000 feet of my property, or 95 percent of the residents whom I had an opportunity to speak with on this matter. So, in other words, 19 out of 20 households in the vicinity of my property are not opposed to -- are against designation. We are here today because the City, on the 16th, essentially designated itself the de facto owner of my property. Quick background. We submitted plans for a new house in May. We went to -- we got Zoning and board approval, architect approval in August. Zoning told us to talk to Historic folks. They told us -- we applied on August. In October, they sent us a letter saying the matter had been scheduled for a hearing in December or October 21. The board -- I mean, the Historic people said it was only for the board's input. They got their input and then scheduled the meeting for final hearing on the 16th. We didn't have any notice of the claims that the staff was actually going to argue until the 11th of December, five days before the December 16th hearing. The consequences to designations are substantial to us. It hurts our property values. It robs us of our fundamental right to use the property as we're entitled. We bought the property fee simple. We're entitled to use it as it's zoned for. We got that approval. The designation subjects us to limitation, costs and burdens not subject to similar situated properties. There's five properties nearby. My property is the one bottom center. These properties range in value from two and a half to three and a half times my property value. The reason why these houses were -- in the recent years were allowed to be torn down and rebuilt in modern standards of living. I should be able to do the same. Grounds for appeal. First ground is the hearing was not held within the 60-day requirement under the Code. It violated due process because we had only five-days'

notice of the claims made against us. The board's designation does not work because they failed to make the required finding required by the Code in designating the property. And lastly, this designation is an error. The first requirement, it comes under Section 311-07(g). This is the one that allows a property owner to demolish his property with the permission of the preservation officer. It clearly says the officer can only require a review if she's determined that the building is eligible for designation. We got notice of this October 2nd. So, by November 1 -- I mean, December 1, the 60-day period expired. The City claims that they only went to the board October 21 to get their input. That just doesn't cut it. You can't -- there's no authority to go to the board unless you made that determination. They're legally estopped from claiming that they did not -- that the 60-day period started any later than October 2nd. It's clear as day. Secondly, due process. Due process requires that any notice be reasonably calculated to afford us a fair opportunity to object to the claims against us. So, giving us five days of the actual eligibility claims that were going to be made, obviously is not due process. You take away the weekend, it's three business days that we had to adjust to the City's (INAUDIBLE). It's no excuse to say that we had an opportunity to agree to extend the meeting. That is true, but that doesn't excuse the City of the due process violation. Moreover, we had our rights, and the City Attorney told us that we would waive certain rights if we agreed to extend, particularly, the right to have the meeting within 60 days, which the City clearly violated. The third complaint is that the Code clearly requires the board to make a finding of which eligibility requirement. It has to be more than one. That means the board, as a board, has to agree on at least one or more of the criteria. They did not do that in the meeting. They simply designated the property after discussion. There is no clear articulation that they agreed on any one of the three requirements that are set forth in the staff's report. The property does not meet the designation requirements. This is the house here. If you look at it, it's simply a box with the staircase in the middle. It's relatively small, 1,800 square feet internal space. The only thing that makes this thing of interest are these skinny columns that are in front of it. The symmetry of the windows and the door is pretty much any architect would do in any ordinary house. It's basically an ordinary house. The City claims three things: that my property exemplifies the City's homebuilding trends of the New Deal era; that it portrays the New Deal era environment, which is characterized by more than one distinctive architectural style; and that it's a significant

example of a neoclassical home. These are based on criteria A-4, B-1 and B-2 in the Code. I'm assuming that the Commission is relatively familiar with these requirements. A-4 says exemplifies the historical, cultural, political, economic and social trends of the community. B-1 says portrays the environment in an era of history, characterize one or more architectural -- distinctive architectural styles. The last one, B-2, says embodies those distinguishing characteristics of an architectural style significantly, significantly. The Code is not -- that these eligibility requirements apply not only to single properties, but historic districts. It's clear that two of these requirements apply to district designations, not a single designation, and that the application of these two requirements is an arbitrary exercise of power, which is unlawful. So, the first one, I think this illustrates the point I just made. It is impossible, impossible for a single property to exemplify the trends of the community. That's like saying today's temperature exemplifies a warming or cooling trend, it does not. You have to look back to some preceding amount of temperatures and say, well, what -- you know, and look at those as a group of data points and say, well, okay, that's a trend. What is significant is the group of data points, not the single data point. So, my property cannot signify in any rational standard, the trends. It just simply -- and this application in this case is simply arbitrary. For the same reason, a single property cannot portray the environment of a historic era that's actually characterized by more than one architectural style. You can see by the staff's own report that the styles in this period included minimal traditional, neoclassical, masonry, vernacular styles, art modern and traditional custom ranch houses. Again, a single house cannot portray an environment, it's arbitrary. Lastly, we come down to the one requirement that does have applicability to a single property, and that is whether or not it displays or embodies those distinguishing characteristics of an architectural style. The staff report boils down to three claims: that I have a full-height porch supported by columns, that my windows are symmetrically balanced, and that the house has an elaborate doorway, with fan lights and side lights. The reality is the property is undistinguished. First of all, the columns are -- do not adhere -- are not classical columns, as the experts in this area require them to have. And in fact, the classical columns are the true one hall -- the true hallmark of classical style. The slender, unadorned columns are a variant of the neoclassical style, but do not characterize the classical style. The same portico is basically repeated cookie-cutter like throughout the neighborhood, and I list a bunch of properties.

It's the equivalent of putting -- I would equate it to the equivalent of putting shutters on a house. It's purely decorative. It's not indicative of a true architectural style. Here is -- and I site this in my motion of opposition that I submitted to the hearing below. It includes -- this is from the expert that the staff itself claims. These are distinguishing characteristics of neoclassical. Façade dominated by full-height porch with roof supported by classical columns. So, what are classical columns? These are classical columns. They're distinguished by being -- the height of the column being in proportion to their base. And so, basically the proportion of the base, the height has to be seven to ten times the diameter of the base. So, here's some quick examples. This is Morton's. You can see those columns -- those are classical columns. This is a house nearby on Segovia; those are classical columns. This is a nearby property, slender columns. These are not classical columns. These are decorative, just like the ones on my house. Same thing here; these are decorative. They are not classical columns. Same thing here, class -- they're decorative, not classical columns. Same thing here, this is the house down the street from me. In fact, these -- to show how decorative these are, this house was originally built without the columns and they put it in after 1949. The other features are also undistinguished; the elaborate door and the house's repeated spec light. So, this is a picture of an elaborate door. You can see the pediment was the top of the doorway and it has a fancy surround the thing. This is my house; this is a comparable house. They are identical, same detail, same door, same proportion to the windows, same brick detailing, everything is the same. These were spec houses from 1940. These do not merit historic designation. This is another side view of my house. There is nothing remarkable about this house at all. It is ordinary, simply put. These are not the hallmarks of a significant example of neoclassical design. These are the hallmarks of a developer more interested in profit than adherence to a true architectural style. Simply put, this is not -- this house does not deserve historic status. The house is also -- lacks prominence and grandeur of scale. I won't spend a lot of time on this. I only remark on this because the report says no less than four times that my house is prominent on a prominent corner and on and on. It is not. You want a prominent property? That would be one on Granada Boulevard, such as this one. You saw it a little bit before. This is 3600 Granada Boulevard. It sits on a spacious 47,000-foot lot, has a beautiful classical front. Another one is on Alhambra Circle. I won't go on; I don't have time. Then you finally come to my house.

My house sits at the corner of two very little traveled roads. It's simply not a visible reminder of anything, let alone of neoclassical style. Then we get to the comparable properties. I just mentioned the five that were torn down. I would just like to spend a little time on the one I think is most interesting, and that is 730 Escobar. So, that is this house right here. This is -- by the staff's standards, this is neoclassical. They allowed it to be torn down without saying it's basically not historic. It has columns, an ornate door, symmetrical windows; meets all the criteria of what the staff claims is historical. If that were true, it should not have been torn down, but it is -- since it's a very neoclassical, it should -- it was allowed to be torn down. Mine is also very neoclassical and should allow to be demolished as well. So, here we have just -- so this had all the elements of the classical (INAUDIBLE) claimed by the staff; full height porch, symmetrical windows and an actual elaborate door. More than that, it was built by Curtis E. Haley, notable architect, who built the house I showed you at 3600 Granada Boulevard, which does have a prominent location. More than that, it's on a corner lot, twice the size of mine. It also represents, without a doubt, the building trends and environments of its time, 1951. And so because of that, since this house was not significant, it's impossible to claim that my house is historically significant. And I know I went through that fast, but I do not -- you know, in sum, the decision failed to meet the Code requirements for the 60-day requirement, failed to give us adequate due process knowledge. The board failed to make the required filing, and I think I've amply demonstrated that it is not a historic house. I apologize for going through it fast. I don't mean to give short shrift to the City's Historic -- I'm all for preservation where it makes sense. It certainly doesn't make sense here. It doesn't meet the Code eligibility requirements, nor was the Code requirements protecting my rights abided by by the staff or the board's decision. With that, I'll claim the remaining couple minutes as rebuttal. Thank you.

Mayor Valdes-Fauli: Thank you. Thank you very much. Next, questions by members of the City Commission to staff.

City Attorney Ramos: Actually, sir, we need to have the presentation by the Historic Preservation Board staff. And I'd also ask Assistant City Attorney Ceballos to address the three legal arguments that were made as he sits with the Historic Preservation Board.

Assistant City Attorney Ceballos: Good morning, Mr. Mayor, Vice Mayor and Commissioners. Just to address a few quick items to make sure the record is clear and to let you know of our legal position. In regards to the 60 days, the item originally went forward on October 21st by staff seeking input. That input was typical of staff for other items whenever there is a pending item that's going to be going to the Commission or where there's basically an issue with an allocation of resources. Staff will bring an item before the board before a full designation report is created or before an entire report is created, like we have for certain areas in North Gables. In this particular case, it went before the board strictly for discussion, not for designation, not to review criteria, just to basically gauge the appetite of the board to consider this particular style of home. Once the board provided that input, the historic preservation officer made the determination that the property does meet the eligibility. That was on October 26th, and then the item was heard on December 16th, so well within the 60 days required by the Code. In regards to the due process and that the item -- the designation report was received five days, there was no requirement that the report be provided any earlier than that. I did work with staff. I made sure that as soon as that report was ready, it was sent over to the property owner. In this particular case, we do not believe that there is a violation of due process. Furthermore, if the appellant wanted more time -- I believe he already this in his presentation -- but we did offer that opportunity to extend it to basically have the meeting done in January, so a few weeks later to afford him the additional time to prepare and to review that designation report. In regards to the waiver of rights that he was referring to, that was only to specifically the section he's referencing now that the item has to be done within 60 days. Had he postponed it, then we would have exceeded that 60 days required by the Code. So, if he chose to do that, to postpone to give him more time to prepare, he needed to basically agree that he can no longer claim that the item wasn't being heard within 60 days. Besides that, there was one thing I did want to note. I did hear that there was a petition. I don't believe there was a petition provided in the previous board. I believe it was just a fee waiver petition. That petition

only -- the scope of that petition is only for the fee, nothing more. It doesn't provide any additional support, or it doesn't let us know whether these residents are for or against designation. I just wanted to make sure that that was clear, and I will go ahead and turn it over to staff. And if the Commission has any other questions, please let me know. I will be here available to answer any questions.

Mayor Valdes-Fauli: Thank you.

Interim Historic Preservation Officer Kautz: Good morning. Kara Kautz, Interim Historic Preservation Officer for the City. We've prepared a brief summary PowerPoint presentation that I would like to just show you guys, if they could run it for me, please. In August 2020, our department received a historic significance request from the owner of the property. On October 21st, 2020, the Historical Resources Department staff sought input from the Historic Preservation Board to determine if staff should proceed with a designation report for the property. The Board provided staff with direction to prepare a full designation report. On December 16th, 2020, the Department presented a designation report for the property to the Historic Preservation Board. The property owner was present and provided a presentation against designation. After deliberation, a motion was made by the board to designate the property as a local historic landmark. Article 3, Section 3-1103 of the Coral Gables Zoning Code entitled "Criteria for Designation of Historic Landmarks or Historic Districts," states that to qualify for designation as a local historic landmark, individual properties must have significant character, interest or value as part of the historical, cultural, archeological aesthetic or architectural heritage of the city, state or nation. For designation, a property must meet only one of the criteria outlined in the Zoning Code. The residence was presented as eligible as a local historic landmark based on three criteria, which were historical and cultural significance, and that it exemplifies the historical, cultural, political, economic or social trends of the community, and architectural significance in that it portrays the environment in an era of history characterized by one or more distinctive architectural styles and it embodies those distinguishing characteristics of an architectural style or period or method of construction. And as per Article 3, Section 3-1104(c)(3) of the Coral Gables Zoning Code, if after

a public hearing, the board finds the proposed local historic landmark meets the criteria set forth in Section 3-1103, it shall designate the property as a local historic landmark. In our summary statement of significance presented to the board, staff felt that this residence exemplifies the criteria for the following reasons. The single-family residence at 649 Palmarito Court is noteworthy as an example of an early Coral Gables neoclassical home. It was one of the earliest residences in this style in the City and represents an evolution for the Mediterranean Revival foundation and into a new chapter in the City's architectural history. Coral Gables was founded in the 1920s as a Mediterranean-inspired city, and its buildings were initially designed almost exclusively in the Mediterranean Revival style. In the late 1920s, the economy plummeted and building ground to a halt. In the late 1930s, the building industry began to regain some footing with the assistance of the New Deal relief measures. As the construction of homes began again, people had adjusted to a new way of life and their priorities and aesthetic had changed. This was reflected in all aspects of life, including the types of homes that were built. In Coral Gables, there was a concerted shift following national home building trends. In the six-year transitional period between 1936 and 1941, there were only approximately 700 homes built in the City. Permitted in May of 1940, 649 Palmarito Court was designed by a well-established and Coral Gables-based team, architect William Shanklin Jr., and owner-builder, George Batcheller. Building on his success in developing the Riviera Section of the City, which included homes that are now part of the Italian Village Historic District, Batcheller significantly invested in building the Country Club Sections as a prominent area. With the neoclassical style, he chose to build in a style whose formality and importance suggested an upwardly mobile lifestyle. Neoclassical style first appeared in Coral Gables in the late 1930s and became popular in the City after World War II. Shanklin was well-versed in the neoclassical style and produced some of the earliest examples in Coral Gables, including this home. Neoclassical was a style that embraced the revival of the use of Roman and Greek architectural principles and elements. Neoclassical architecture includes simple geometric forms, symmetry and balance with a stier ornamentation drawn from these classical orders. This style, with its uncluttered appearance and grandeurous scale most often features full-height or full-façade front porches, elaborate front doors, massive classical columns and flat or low roof lines. The home at 649 Palmarito Court was designed with the hallmark and character-

defining features associated with this style. This early neoclassical home has had no additions and minimal alterations and entertains a high degree of historic integrity. It tells the story of the ongoing development of Coral Gables, which did not stop after the 1920s, and significantly contributes to the historic fabric of the City of Coral Gables. In fact, Coral Gables is a certified local government, which means that we are obligated to preserve historically significant examples over the complete time span of the City. The Historic Preservation Board considered the criteria presented and ultimately voted to designate the property as a local historic landmark. The motion passed 8 to 0, with one member being absent. Thank you very much and we're happy to answer any questions you might have.

Mayor Valdes-Fauli: Thank you.

City Attorney Ramos: The appellant had reserved a few minutes, I think, for rebuttal. If there's anything else he wishes to say, he should do so now.

Mr. Zaharewicz: Yeah, so -- Can you hear me? This is...

Mayor Valdes-Fauli: Yes.

Mr. Zaharewicz: Ed. Okay, thank you. Okay, a few notes in rebuttal. On the 60-day issue, the bottom line is they scheduled -- the staff scheduled the property for review. It doesn't matter if it was an initial review or to seek input. They are only entitled to do that if -- you know, pursuant to 3-1107(g), which is there to protect the rights of the property owner, not to abuse the process. So, the clock started ticking October 2nd; it expired December 1st. There's no -- that's clear. On the issue of due process, yeah, okay, there's no requirement in the Code for when they have to do it, but due process is due process. It's a constitutional requirement, and five days certainly does not meet that standard. It's clear that five days in such a matter is not adequate notice for a property owner to defend himself. And given the 60-day requirement is there for the benefit of the property owner, the fact that the 60 days could be extended by agreement is meaningless in that regard.

Regarding the petition, I sent the petition to each of the Commissioners individually. I also submitted it to the City Clerk on my submissions of information, and I copied the City Clerk on what I sent to the Commissioners. And I also gave it again to the City Clerk on January 19th, when I gave my slides and other documents, so you should have it. There're 66 signatures all, like I said, in the vicinity of my property; 19 out of 20 simply do not think it's historical and are fine with me building what I want to build there as is my right as a property owner. As to the designation, we keep coming back to this issue of the historic context. It is simply arbitrary and beyond the powers of the board to put this property in a historic context as they seek to do. You can only do that through a multiple property designation. And to see that, you'd look no further than Section 3-1103, which says, and I quote, "For a multiple property nomination, eligibility will be based on the establishment of historic context, of themes which describe the historical relationship of the properties." That is there because you simply can't designate a bunch of properties and have no reason to do it. It also emphasizes that some of these criteria, particularly the one about trends and the one about portraying an environment, are clearly there to designate districts, collections of property that convey what they're supposed to convey. It is completely arbitrary on the board to rely on those provisions to designate a single property, and so that's what I got to say about that. And then coming down to the findings, the Code is again clear. It requires a finding by the board on what eligible criteria they agree on. That was not done in this case. There is no record of them agreeing on any one of the things. They simply agreed to designate it. We don't know if a majority of the board agreed on any one eligibility requirement or on them collectively, which would not be permitted in my view, and so it fails on that view as well. And bottom line on the neoclassical, those columns are not classical columns. There's no way you can say they're classical columns. And in fact, the staff in its own reports, says the hallmark is a classical column. Those are not classical columns. It's a variant of neoclassical and therefore does not meet that requirement on the merits. That's all I have to say. Thank you very much.

Mayor Valdes-Fauli: Thank you.

Interim Historic Preservation Officer Kautz: May I respond?

City Attorney Ramos: The procedural order doesn't allow for rebuttal from staff, but if the Commission has questions, certainly, anybody can respond to that.

Mayor Valdes-Fauli: Thank you very much. I have a comment. Do we go now? Yeah, I have a comment that has to do with this property, but I think it goes a little bit above this specific property. And that is that the pictures that were shown by our staff include possibly 80 percent of the homes in Coral Gables. And I used to live in a house that looked just like it, 901 University Drive, and there are many, many around in the City that look like that. If we classify every property that was similar to the one shown in there, we're going to classify 80 percent of the properties in this city, which is going to create a huge detriment to anybody buying in Coral Gables because everything here will be classified historic and they'll have to jump through hoops, if they can, in order to do anything to their homes; add a room, take -- add whatever. I would like for the Commission to think of the consequences of proceeding along these lines. I'm not necessarily speaking about the historic nature of this house, but proceeding along those lines because we're going to classify every single property in Coral Gables, and that's going to be a huge detriment to our city. Any Commissioner wishes to speak?

Vice Mayor Lago: Yes, I do. Thank you, Mayor. First off, I'd like to ask, if I may, our Interim Director Kara Kautz, to discuss -- and give me a little bit more background in regards to the neoclassical style. Can you give us a few examples of prominent neoclassical homes that have been designated?

Interim Historic Preservation Officer Kautz: We have quite a few in various historic districts.

Vice Mayor Lago: When you say quite...

Interim Historic Preservation Officer Kautz: And we have some...

Vice Mayor Lago: When you say quite a few -- and I'm sorry to interrupt.

Interim Historic Preservation Officer Kautz: A handful. Sorry, a handful. We don't have -- they are not hundreds. There are not -- you know, I would say there's -- it's not many, but we do have some. There are some in historic districts. There are some that are individually designated. What's important about this particular house is, you know, definitely not the quantity of the homes that we've designated in the style, but that this was a 1940 example of the style, which you don't see -- that gained popularity much later in the 50s. So, the comparable houses that the owner was referencing, those are -- most of those were 1950s and later examples. They are not from the 1940s. This was a very early example. So, that's what makes it stand out for us.

Vice Mayor Lago: The reason why I'm bringing that up is because when you have an 8/0 vote, it's pretty -- obviously, it's overwhelming. And there were some -- there were certain things about your presentation that really caught my eye; one of them being, obviously, the minimal alteration to the home, the age of the home, and when you talked a little bit about, you know, the transition from Mediterranean to Neoclassical and how this represents possibly one of the finest examples in regards to that transition. So, you say there are previous examples of homes of this caliber that have been designated, which are neoclassical. Do you see -- to touch on the Mayor's comments, do you foresee possibly hundreds of homes being designated that are neoclassical in design being designated -- possibly being designated historic in the near future?

Interim Historic Preservation Officer Kautz: We evaluate every property...

Vice Mayor Lago: Yes.

Interim Historic Preservation Officer Kautz: On a case by case basis, so it's kind of hard to answer that question. But we have to look at a number of things for each property; when it was built, the architect, the degree that it retains its historic integrity, and whether or not it meets the criteria. And we review all of the demolition permits in the City and all the significance letters that come

to us. And the majority of them -- probably, I think we did the math at one point and it was close to only 3 percent of all of the significance requests that we see, we actually go through the process, take to the board, and they ultimately designate. It's a very small number. We sign requests for nonsignificant properties all the time. Give you a number on how many neoclassical properties that we see coming forward or we foresee coming forward, I can't really answer that. But again, this style gained popularity after the World War, after the war was over, and people were returning back, and they were larger and more grand versions of the style. So, more of what you see are those later types, not the early one that we have here. I'm not sure I answered your question.

Vice Mayor Lago: No, you did. You did. You gave me a good answer, so thank you, Madam Director. I appreciate it.

Interim Historic Preservation Officer Kautz: Thank you.

Mayor Valdes-Fauli: Commissioner Fors.

Commissioner Fors: Yeah, I have a question for the director. Did this portico from what -- and I think -- I reviewed the materials. I think I only saw it in the presentation of the property owner. But this portico was built in -- or was added to the home in 1949 or after 1949?

Interim Historic Preservation Officer Kautz: No, that was a different property that he was referencing.

Commissioner Fors: Okay, so this -- that portico with the columns and the heightened front porch was built when the house was originally built?

Interim Historic Preservation Officer Kautz: Yes, it's original to the property.

Commissioner Fors: Okay, that was the only question I had. Thank you.

Mayor Valdes-Fauli: Commissioner Keon.

Commissioner Keon: No, I'd just like Miriam to -- could you repeat again the three items that we're looking at, that we are making our decision based on.

City Attorney Ramos: Yes, I'm happy to. So, there's three things that you're looking at. Again, you should not be considering any evidence that was not introduced below. You are to evaluate whether there was due process afforded to the property owner, whether the Historic Preservation Board's decision was based on competent substantial evidence, and whether the essential requirements of law were met, meaning did they appropriately apply the criteria. That should be the extent of the review today, in accordance with the Zoning Code. And I will take the opportunity to remind everyone that this is quasi-judicial. You're only looking at this one property and whether or not other properties are going to be designated in the future should be irrelevant to the particular analysis we're here for today.

Commissioner Keon: Okay, thank you.

Mayor Valdes-Fauli: Thank you.

Commissioner Mena: Yeah, that's...

Mayor Valdes-Fauli: Commissioner Mena.

Commissioner Mena: You know, my issue is really just that, is that we're here on an appellate process, you know, having reviewed the transcript and all the documents. You know, there's a certain criteria we have. It seems like the board, you know, properly considered all those criteria. They relied on the staff report. I don't see as an appellate body how in this specific instance we can overturn that. If we want to have a different discussion at another point in time about our

historic preservation process, what the criteria should be or shouldn't be, I think that's totally appropriate, but that's not what we're doing here today, in my opinion. You know, I would also caution that every time we deal with one of these, we hear this story that the floodgates will be open. Last time, 80 percent of homes were at ranch; today, they're neoclassical. You know, that can't be how we go about approaching this. I haven't seen those floodgates opened. We see a house here or there, and there is criteria that's followed or not, and it's our job to evaluate that. So, you know, having reviewed the transcript, I just don't see anything that enables me to say that the board somehow failed to adequately apply the criteria or consider the various factors that they're required to by our procedures. Again, I'm more than happy to separately on another day, if we want to put it on the agenda, have a discussion about how this process should work, and it's our job as policymakers to help, you know, shepherd that process if we want to see change in the process. But we're here today really on an appeal of this specific designation under the current rules and procedures. And I've yet to hear which one of those rules or procedures wasn't adhered to, and so for me, I have to support the unanimous vote of the board.

Mayor Valdes-Fauli: Thank you. Thank you, Commissioner. Do I hear a motion?

City Clerk Urquia: Mr. Mayor, before you proceed, we do have members of the public who would like to speak on this.

Mayor Valdes-Fauli: Okay.

City Clerk Urquia: First person is going to be Mr. Brett Gillis.

Mayor Valdes-Fauli: Two minutes.

Brett Gillis: Good morning.

Vice Mayor Lago: Good morning.

Mr. Gillis: Hi. This is Brett Gillis, 915 Ferdinand Street. I do not agree with the Mayor's assessment that 80 percent -- the 80 percent figure. I find that this style is a very special and unique element that we have in Coral Gables in the area between the University and Biltmore. There are maybe a few other examples throughout the City, but it's predominantly in the areas of the City that were not heavily built out in the 1920s, so it is a unique aspect that we have. I think that when we look at history and what it provides for us, it can help educate us, beautify our city and make us special. And the studies that we have show that historic preservation increases the value of homes, not decrease. It makes us special, makes us unique in the South Florida environment. So, I hope that you'll consider that today. This is a Depression era home. We have to forget that. I think that the assessment that it's a two-story box and a small home is not accurate when you look at the time that the home was built in, during the Great Depression. There are some inaccuracies in what the homeowner is saying about the style of the columns. I used the same reference that the owner did. They state Virginia McAlister neoclassical style, fluid column shafts are common in early homes after about 1925; very slender, unfluted, often square columns began to be used primarily on houses with full-façade porches. Those usually lacked capitals and their proportions readily distinguish them from earlier neoclassical and Greek revival examples. So, if we're looking for Greek revival or Georgian style homes, you're not going to find that in Coral Gables. Our community was built too late for that. The Georgian style was from -- again, quoting from Mrs. McAlister, 1700 to 1780 was the dominant style of the English colonnades. This is a unique style that we have in Coral Gables, and I hope that you'll preserve our history. Thank you for your time.

Vice Mayor Lago: Thank you.

Mayor Valdes-Fauli: Thank you.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Valdes-Fauli: That's it? Thank you. Do I hear a motion?

Vice Mayor Lago: I'd like to make a motion.

Mayor Valdes-Fauli: What?

Vice Mayor Lago: To deny the appeal.

Commissioner Keon: I'll second it.

Mayor Valdes-Fauli: Alright. Will you call the roll, please?

Commissioner Fors: Yes.

Commissioner Keon: Yes.

Vice Mayor Lago: Yes.

Commissioner Mena: Yes.

Mayor Valdes-Fauli: Yes.

(Vote: 5-0)

Mayor Valdes-Fauli: Thank you very much, everybody.