

CORAL GABLES HISTORIC PRESERVATION BOARD MEETING MINUTES
Wednesday, December 16, 2009, 4:00 p.m.
City Commission Chambers
405 Biltmore Way, Coral Gables, Florida

MEMBERS:	J	F#	F	M	A	M	J	J	A	S	O	N	D	APPOINTED BY:
Dorothy Thomson	P	P	P	P	P	E	P	P	P	P	P	P	P	Mayor Donald D. Slesnick, II
Margaret Rolando*	P	P+	P	P	P	P	P	P	P	P	P	E	P+	Vice Mayor William H. Kerdyk, Jr.
Ernesto Santos	P	A	E	P	P	P	P	P	P	P	P	P-	P-	Comm. Maria Anderson
Venny Torre*				P	P	P	P	E	P	P	P	P	P-	Comm. Rafael "Ralph" Cabrera, Jr.
Dolly MacIntyre	P	P	P	P	P	P	P	P	P-	P	P	P	P	Comm. Wayne "Chip" Withers
Richard Heisenbottle*								P	P	P	P	P	P	Historic Preservation Board
Joyce Meyers	P	A	P	P	P	P	P	P	P-	E	P	P	A	City Manager
Gay Bondurant*							P	P	P	P	P	P	P	City Commission
Sharon Langer*									P	E	P	P	P	City Commission

+ Ms. Rolando recused herself from discussion of one application at the special February meeting, and two applications at the December meeting.

- Ms. MacIntyre arrived at 6:53 p.m. and Ms. Meyers departed at 6:54 p.m. (August); Mr. Santos arrived at 4:50 p.m. (November); Mr. Torre arrived at 5:40 p.m.; Mr. Santos and Ms. Bondurant departed at approximately 6:00 p.m. (December).

STAFF:

Kara Kautz, Historic Resources Officer
 Simone Chin, Historic Preservation Administrator

A = Absent
P = Present
E = Excused
*** = New Member**
^ = Resigned Member
= Special Meeting

GUESTS: Mario Garcia-Serra, Jeannie Etter, David Coulson, Ethan Wasserman, Ryan Bailine, Nelson Rodríguez, Kendell Turner, Nelson de Leon, Barbra Gabay, Hayes Chamoun, Raul Delbo, Steven Juhasz, Robin Juhasz, Teresa Dyke, Lisa Delphin, Jeannett Slesnick, Eduardo Llano, Aldo C. Busot.

RECORDING SECRETARY/PREPARATION OF MINUTES: Nancy C. Morgan, Coral Gables Services, Inc.

The meeting was called to order by Chair Dolly MacIntyre at 4:05 p.m. A quorum was present.

DISCLOSURE STATEMENT and DISCLOSURE OF CONTEXT:

Ms. MacIntyre read for the record the statement regarding lobbyist registration and disclosure. She then stated that if any members of the board had any ex parte communication or contact regarding any cases being heard, it was necessary to disclose such communication or contact. Board members did not indicate that any such communication occurred.

MINUTES: MEETING OF NOVEMBER 19, 2009:

Mr. Langer made a motion to approve the minutes of the meeting of November 19, 2009 as written. Mr. Heisenbottle seconded the motion, which passed unanimously by voice vote.

DEFERRAL: Case File COA (SP) 2009-28 (Continued), 547 Aragon Avenue (until additional items are submitted.)

PUBLIC SWEARING IN: Nancy Morgan swore in audience members who planned to testify during the meeting.

SPECIAL CERTIFICATE OF APPROPRIATENESS:

CASE FILE COA (SP) 2009-23:

An application for the issuance of a Special Certificate of Appropriateness for the property at 255-265 Aragon Avenue, a local historic landmark, legally described as Lots 33-41, Block 34, Coral Gables Section "K", as recorded in Plat Book 8, at Page 33, of the Public Records of Miami-Dade County, Florida. The applicant is requesting design approval for the installation of signage. A variance will be required from Article 5, Division 19, Section 5-1904 of the Coral Gables "Zoning Code" to allow the building to have a wall mounted sign on the North elevation (alley).

Ms. Rolando recused herself from this application as the applicant is a client of her firm.

Ms. Kautz displayed photographs of the designated building, and explained the variance request to allow a wall mounted sign with the applicant's name on the north side of the building (rear façade, immediately adjacent to an alley). Regarding the variance, Ms. Kautz said staff did not believe the application met all criteria for variance approval. She called attention to two letters of intent submitted by the applicant, explained why the circumstances surrounding the property were not exceptionally unique, and described signage on contiguous and nearby buildings. She reviewed the signage section of the Zoning Code and its application in this case, and then described why the applicant's argument (that this case was "identical" to one appealed to the Commission, resulting in Resolution No. 2009-260) did not apply. She said staff recommended a motion to deny the installation and a motion to deny the variance.

Attorney Ryan Bailine, representing the applicant, stated that he sought approval to place a wall-mounted sign on the north side of the building to make it visible from Giralda Avenue. He explained application details, and cited Code provisions relating to signage in support of the application. Displaying photographs, Mr. Bailine argued the merits of the sign installation, and said the passageway on the north side was not an alley based on City definitions. He said the sign should be approved as of right, demonstrated how traffic circulated around the building, cited Resolution No. 2009-260 (Starbucks appeal), spoke of avoiding consumer confusion, and rebutted staff's recommendation to deny sign installation and the requested variance. Finally, he informed the Board that if they approved the sign installation and variance, the applicant would agree to remove the sign if the City parking lot were later replaced by a three-story (or taller) building with 30 days notice after the new construction reached the third level. He said the applicant would also agree that if the applicant bank were to leave the property, a condition could exist that a non-bank tenant could not have signage such as that requested.

Ms. Kautz re-stated that the passageway was a City alley, regardless of how it was used, that the property did not meet criteria for a Code variance, special conditions were not found, and granting a variance would confer a special privilege for this applicant.

Mr. Bailine added that the building owner was also one of the bank's owners and was in favor of the application. He said there were no plans for an alleyway entrance at this time, and added that the issue of this type of signage was greater than this specific application, calling the passageway a dedicated strip of the property for public use as a vehicular or public access way.

Ms. MacIntyre invited other audience members to speak to the application. Hearing no requests, she closed the public hearing.

Board comments:

- After expressing general concern about alley signage, it was suggested that the Commission consider a future change in Code provisions regarding alley signage.

- Discussed and debated were interpretation of Code terms, the significant daily traffic use of the alley to access the bank, access to parking for bank patrons, the City parking garage's impact on the signage issue, the bank's lack of a drive-through and the possibility of the passageway being a public right-of-way.
- The Board confirmed Mr. Bailine's testimony that patrons had difficulty finding the bank, the City garage across the street obstructed the Aragon sign, the City parking lot behind the bank offered an open vista for the alley side for bank identification and this building had multiple versus single tenancy.

Ms. Langer made a motion to deny the application. Ms. Thomson seconded the motion.

Ms. MacIntyre advised that the problem was Citywide and needed to be addressed at a higher level.

Roll Call: Ayes: Ms. Thomson, Mr. Heisenbottle, Ms. Bondurant, Ms. Langer, Mr. Santos, Ms. MacIntyre. Nays: None. Mr. Torre had not yet arrived, and Ms. Rolando recused herself.

Mr. Bailine asked if he could proceed administratively if definitive action were taken by another City board whereby the right-of-way was recognized as a right-of-way. Ms. Kautz advised that if the Zoning Code was changed or the interpretation defined another way, the applicant could proceed administratively.

CASE FILE COA (SP) 2009-25:

An application for the issuance of a Special Certificate of Appropriateness for the property at **820 Alhambra Circle**, a local historic landmark, legally described as Lots 16 and 17, Block 32, Coral Gables Section "B", as recorded in Plat Book 5, at Page 111, of the Public Records of Miami-Dade County, Florida. The applicant is requesting design approval for the construction of an addition and alterations to the residence. A variance will be required from Article 4, Division 1, Section 4-101 (D) (9) and Section 4-101 (D) (10) of the Coral Gables "Zoning Code" for the building to exceed the allowable maximum square foot floor area.

Ms. Rolando recused herself as the applicant inadvertently discussed the application with her.

During a Powerpoint presentation, Ms. Kautz displayed historic and current photographs, explained that the application also requested a variance, described the property's history, and variance issues. She said the Board of Architects reviewed the design without comment, but did not review it for Code compliance. The proposed addition and alterations were deemed not to detract significantly from the property. Ms. Kautz said the variance request did not meet criteria and detailed reasons, also stating that the applicant's primary argument was that the property was being penalized because it was historically designated and due to the designation, certain areas of the property could not be altered. Ms. Kautz explained that the property as it exists is legally non-conforming as the square footage is greater than that allowed by Code, but said staff did not believe this was a justifiable argument for adding more square footage. The Code section that applied to this issue was read. The applicant argued issues for the variance, which were rebutted by staff. Ms. Kautz concluded that staff recommended denial of the application and the variance. She also pointed out letters submitted by the applicant in support of the application.

Attorney Mario Garcia-Serra, representing the applicant, was accompanied by Architects Nelson de Leon and Barbra Gabay as well as the homeowners and supportive neighbors. Using displays, Mr. Garcia-Serra sited the property and explained key components of the application, the architecture, why the FAR variance was requested and added that the purpose of the proposed addition was to accommodate family needs. He said that two of the historic characteristics of the property and how they are treated by current Code for FAR calculations create a hardship unique to the property. He argued that the homeowners and architects had considered all options available to their current situation and growing family, and the addition is the only one that made sense. His argument was that the rules "of the game" regarding FAR changed in the "middle of the game," which he explained as newer regulations put in place to avoid "MacMansions." At the conclusion of his presentation, Mr. Garcia-Serra invited neighbors to comment on the application.

Ms. Delphin indicated support for the proposed addition, alternations and variance.

Ms. Dyke concurred with Ms. Delphin, adding an initial concern, later dispelled, about an appearance change; however, changes proposed were for the rear of the house. She supported the application.

Mr. Busot spoke in support of the application, stated his firsthand knowledge of the process, efforts not to change the integrity of the historic home, but to add closet and living space.

Ms. Jeannie Etter Coulson read a letter of support from neighbor Norman Buhrmaster.

Architect de Leon presented the application's programmatic and design methodology, explained the options considered, efforts to minimize the impact of the second floor and treatments/styles employed in the addition.

Board member Venny Torre arrived at 5:40 p.m.

Mr. Coulson described the history of previous work on the house, indicated his understanding of staff's concerns and argued there was hardship with the peculiar structure of the house. He requested Board approval of the variance.

Mr. Garcia-Serra reviewed current and proposed square footage, read a supportive letter from neighbor Jeannett Slesnick and mentioned other neighbors who supported the application and variance.

Ms. Bondurant made a motion to approve the variance as requested. Ms. Langer seconded the motion.

Ms. Thomson cited staff's recommendation of denial of the variance and the design and staff's opinion that the design did not detract significantly from the overall structure as her reasons for opposing staff's recommendation.

**Roll Call: Ayes: Ms. Thomson, Mr. Heisenbottle, Ms. Bondurant, Ms. Langer, Mr. Santos, Ms. MacIntyre.
Nays: None. Abstention: Mr. Torre.**

Ms. Bondurant made a motion to approve the design as presented. Ms. Langer seconded the motion.

**Roll Call: Ayes: Ms. Thomson, Mr. Heisenbottle, Ms. Bondurant, Ms. Langer, Mr. Santos, Ms. MacIntyre.
Nays: None. Abstention: Mr. Torre.**

CASE FILE COA (SP) 2009-27:

An application for the issuance of a Special Certificate of Appropriateness for the property at **1228 Alhambra Circle**, a contributing structure within the "Alhambra Circle Historic District," legally described as Lots 9, 10, and 11, Block 4, Coral Gables Section E, as recorded in Plat Book 8, at Page 13, of the Public Records of Miami-Dade County, Florida. The applicant is requesting design approval for the construction of a new covered entry porch.

Ms. Kautz displayed historic and current photographs as she described the history, past additions and alterations to the property. Proposed alterations were reviewed and original plans shown for comparison. She said the Board of Architects approved the application without comment, adding that although the patio railing was altered, elimination of it would remove a character-defining feature. She recommended against removal noting, however, that it could be instead modified to retain the spirit of the original design intent.

Further, Ms. Kautz pointed out that original drawings showed a covered entry at the front door; however, there is no evidence that the feature was ever built as part of the original design, so the front door, as shown in a 1940s photograph, existed without the covered entry feature. She suggested that alternatives be explored if the owners wanted protection from the elements at the front door, and concluded with a recommendation to approve the design for alterations with conditions that the patio railing be retained and that the covered entry not be constructed as shown in the proposed design.

Architect Eduardo Llano, representing Mr. and Mrs. Chamoun, described the history of improvements and detailed the proposed alteration design, stating that a covered entrance was depicted in 1920s drawings and he had recreated that

which was intended in the original design. Mrs. Chamoun then described the condition of the house when it was purchased, and their goal to restore it to its original design.

Hearing no further requests from audience members to speak, Ms. MacIntyre closed the public hearing.

Board members and Ms. Kautz discussed the entryway, railings, tiles and materials proposed in the design. Ms. Kautz mentioned the lack of evidence that some of the permitted features were ever built. The absence of that evidence caused staff's recommendation for conditions. After debating issues related to the entrance, Mr. Heisenbottle expressed support of the applicants' plans because they met the Secretary of Interior Standards.

Mr. Heisenbottle made a motion to approve the design as proposed by the applicant, without conditions. Ms. Langer seconded the motion.

Roll Call: Ayes: Mr. Heisenbottle, Ms. Langer, Mr. Torre, Ms. Rolando, Ms. Thomson, Ms. MacIntyre. Nays: None.

Mr. Santos and Ms. Bondurant left the meeting between 6:00 and 6:15.

LOCAL HISTORIC DESIGNATION:

CASE FILE LHD 2009-007: Consideration of the local historic designation of the property at **2842 De Soto Boulevard**, legally described as the West ½ of Lot 6 and all of Lot 7, Block 18, Coral Gables Country Club Section Part One, according to the Plat thereof, recorded in Plat Book 8, Page 108, of the Public Records of Miami-Dade County, Florida.

After stating that the application was homeowner initiated, Ms. Chin displayed historic and current photographs as she described the history, architect and architecture of the house. She concluded that staff recommended approval of the local historic designation based on architectural significance.

Ms. Langer made a motion to approve the local historic designation of 2842 De Soto Boulevard as presented. Mr. Heisenbottle seconded the motion.

Roll Call: Ayes: Ms. Rolando, Ms. Thomson, Mr. Heisenbottle, Ms. Langer, Mr. Torre, Ms. MacIntyre. Nays: None. Absences from vote: Mr. Santos, Ms. Bondurant.

BOARD ITEMS / CITY COMMISSION / CITY PROJECTS UPDATE:

Country Club of Coral Gables property:

The City Commission's vote was evenly split regarding outdoor seating and the application was denied. Mr. Di Donato will restudy his proposal.

ITEMS FROM THE SECRETARY:

Ms. Kautz reported staff challenges resulting from medical circumstances that affected both Betty Perez and Simone Chin. Ms. Perez is expected to return to work in January 2010, and Ms. Chin will be on medical leave for three to four months beginning December 21.

ADJOURNMENT: 6:25 p.m.

Respectfully submitted,

Kara N. Kautz
Historic Preservation Officer