

CORAL GABLES HISTORIC PRESERVATION BOARD MEETING MINUTES

December 18, 2008, 4:00 p.m.

City Commission Chambers

405 Biltmore Way, Coral Gables, Florida

MEMBERS:	J	F	M	A	M	J	J	J#	A	S	O	N	D	APPOINTED BY:
Dorothy Thomson	P	P	P	P	P	P	P	P	P	P	P	P	P	Mayor Donald D. Slesnick, II
Margaret Rolando*													P	Vice Mayor William H. Kerdyk, Jr.
Ernesto Santos	P	P	P	P	P	P	P	P	P	P	E	P	P	Comm. Maria Anderson
Gonzalo Sanabria				P	E	E	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
Michael Beeman	P	P	P	P	P	P	P	P	P	P	E	P	P	Historic Preservation Board
Joyce Meyers	P	P	P	P	P	P	E	E	P	P	E	P	P	City Manager
Lisa Bennett	P	P	P	E	P	P	E	E	P	P	A	E	P	City Commission
Shirley Maroon	P	P	P	P	P	P	P	P	P	P	P	P	P	City Commission

** Arrived at 5:03 p.m.

STAFF:

Betty Perez, Historical Resources Department
Rodney Carbonell, Historic Resources Department

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

GUESTS: Laura Russo, Jorge Hernandez, Sergey Kovesky, Elizabeth Andrews, Antoinette Price, James Collins, Margaret Davis, Peggy Gibson, Albert McCraney, Edwina Prime, Pedro Bravo, James Kennedy, Jose M. Alvarez, Nerida Deza, Judith Davis, Lyle Lieberman, Cri Hilmer, Leona Cooper Baker, Mildred Carlos, Pedro Alvarez, Pedro Bravo.

RECORDING SECRETARY: Nancy C. Morgan, Coral Gables Services, Inc.

The meeting was called to order by Chair Dolly MacIntyre at 4:06 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 20, 2008:

Ms. MacIntyre pointed out two changes to the November minutes: 1) page one: change the symbol used in Board attendance table regarding new Board member Peggy Rolando; 2) page four: under "Public comment in opposition to the application: change "garages in the neighborhood have a second story" to "garages in the neighborhood do not have a second story."

Mr. Sanabria made a motion to approve the minutes of the meeting of November 20, 2008 as revised. Mr. Beeman seconded the motion, unanimously approved by voice vote.

DEFERRALS:

Ms. Kautz reported no application deferrals.

SWEARING IN THE PUBLIC:

Nancy Morgan swore in members of the audience who planned to testify during the meeting.

AD VALOREM TAX RELIEF:

CASE FILE AV 2006-05 An application requesting ad valorem tax relief for the property at 544 San Esteban Avenue, a local historic landmark, legally described as Lots 3, Block 21, according to the Plat thereof, as recorded in Plat Book 28, at Page 31, of the Public Records of Miami-Dade County, Florida. The related Certificate of Appropriateness – Case File COA (SP) 2005-03, was granted design approval on March 23, 2005, by the Historic Preservation Board.

Mr. Santos recused himself and left the room as he is the architect of record for this project.

While displaying before and after photographs of the property featuring elevations and floor plans, Ms. Kautz relayed the restoration, addition and landscape design. At the completion of her presentation, Ms. Kautz said staff recommended approval of the application.

Ms. MacIntyre invited audience comment. Hearing no requests to speak, she closed the public hearing portion of the application.

Ms. Meyers made a motion to recommend approval of the application as presented. Mr. Sanabria seconded the motion.

Roll Call: Ayes: Ms. Bennett, Ms. Meyers, Mr. Sanabria, Ms. Rolando, Mr. Beeman, Ms. MacIntyre. Nays: None.

SPECIAL CERTIFICATE OF APPROPRIATENESS:

CASE FILE COA (SP) 2008-20 An application for the issuance of a Special Certificate of Appropriateness for the property located at 10XX Cotorro Avenue, a vacant parcel within the “French City Village Historic District”, legally described as Lot 3, Block 145, Revised Plat of Coral Gables Riviera Section Part Nine as recorded in Plat Book 28, at Page 29, of the Public Records of Miami-Dade County, Florida. The applicant is requesting design approval for in-fill construction within the historic district. Variances have been requested for the front door facing, maximum allowable building height, maximum allowable floor area, and maximum allowable ground area coverage. This was deferred from the Historic Preservation Board meeting of November 20, 2008.

As this application was deferred from the November 2008 meeting, Ms. Kautz invited Mr. Hernandez and Ms. Russo to explain changes made in accordance with a homeowners meeting and Board suggestions. She pointed out letters from neighbors indicating their support of the project as revised. Thereafter, Ms. Kautz conducted a PowerPoint presentation to review former and current plans and elevations.

Ms. Russo stated that Architect Jorge Hernandez met with neighbors to discuss and agree on changes. She referenced three neighbor e-mails indicating approval of the design and said that one neighbor was present to speak in favor of the application.

Mr. Hernandez reported his meeting with neighbors on December 2, 2008, and praised Mr. Kennedy, a concerned neighbor, for leading the neighborhood initiative and provided an agenda. Changes agreed to at the meeting were stated by Mr. Hernandez as follows:

- The second story bedroom was eliminated over the garage;
- Windows and some detail were added to the west face of the elevation;

- Changes to the window banks on north/south elevations were made to add space between them and make them more conforming;
- To shorten the balcony and replace the French door on the outside with windows;
- The house will have a normal septic tank;
- The maximum roof height will match the neighbors' roof height at 31 feet;
- Tenting and termite eradication issues were discussed with neighbors and researched with pest control experts;
- The addition of gabled elements;
- The review of the massing and reduction of the massing and parapet heights.

Ms. MacIntyre stated for the record that Ms. Thomson and Ms. Maroon arrived during the presentation (4:20 p.m.).

Mr. Hernandez detailed design revisions and floor plans, noting that he also met with, and garnered the approval of, Ms. Rangel (the neighbor to the rear) for design changes. After concluding his presentation, he clarified Mr. Beeman's inquiry about how yard debris would be removed from the back yard.

Ms. MacIntyre invited members of the audience to speak.

Mr. James Kennedy, 1033 Hardee Road, described the neighbors meeting and said they happily reached compromise with the architect and were supportive of the new design.

Mr. Lieberman, previously in opposition to the application, stated his support for the proposed design and variances.

Hearing no further requests for public input, Ms. MacIntyre closed the public hearing.

Ms. Kautz voiced staff's recommendation for approval of the application and variances.

Mr. Sanabria made a motion to approve the application along with the advertised variances. Ms. Meyers seconded the motion.

Roll Call: Ayes: Ms. Maroon, Ms. Meyers, Mr. Sanabria, Mr. Santos, Ms. Rolando, Ms. Thomson, Mr. Beeman, Ms. Bennett, Ms. MacIntyre. Nays: None.

CASE FILE COA (SP) 2008-23 An application for the issuance of a Special Certificate of Appropriateness for the property at 214 Florida Avenue, a contributing structure within the Mac Farlane Homestead Subdivision Historic District, legally described as Lot 28, Block 1-B, MacFarlane Homestead and St. Albans PK Comb and Supplem., as recorded in Plat Book 5, at Page 81, of the Public Records of Miami-Dade County, Florida. The applicant is requesting design approval for the demolition of the structure.

Ms. Kautz conducted a PowerPoint presentation, describing features of the original 1938 home situated in a local and national historic district. She reviewed the property's background and recent history, stating that funds had been set aside by Miami-Dade County in 1993 for renovation use for certain homes in the Mac Farlane Homestead District. Only a handful of those homes received funding, no longer available as the County discontinued the program.

The property was cited for several Code Enforcement violations and, in August 2007, was cited for demolition by neglect. In July 2008, a letter was sent to the owner from the Building Official stating that the house was an unsafe structure and calling for its demolition. Both the Building Official and City Engineer deemed the building unsafe.

Ms. Kautz stated staff's empathy for the plight of the owner, particularly since restoration funding, on which they relied, was no longer available. Her opinion, however, was that the structure should not be destroyed as it would set an extremely harmful precedent. She called Board attention to the evaluation criteria in Section 3-1107 of the Zoning Code which addresses the role of the Board in demolition applications as well as available options when considering such an application. She also pointed out page four of the staff report regarding criteria in accordance with Code, and read the

eight applicable items and staff's responses to each. She said staff recommended denial of the application to demolish the house. The only caveat was if the Board believed the property was too deteriorated to be successfully restored or rehabilitated, then Section 3-1107 of the Code provided specific conditions the Board could impose. If that were the case, Ms. Kautz advised, it was recommended that the Board review the conditions prior to making a decision for demolition.

Discussion ensued to clarify circumstances, timelines, district and property issues. During discussion, Ms. Kautz reported that fines to the property stopped; however, they were not yet mitigated or paid. She advised that staff could recommend mitigation to the Code Enforcement Board.

Ms. MacIntyre invited the applicant to address the Board.

Margaret Davis, 214 Florida Avenue, stated the following:

- No one did anything to restore the house. She wasn't allowed to do anything to the house as it was deemed historic;
- She was fined multiple times by the City, yet not allowed to do anything to the home;
- It was unfair to take her home away;
- She cannot pay the fines, and wants to have the house left alone so she can restore it her own way;
- If she tears it down, she can rebuild it;
- The house was last occupied in 2003;
- The house was boarded up and "dope addicts" broke it down and entered.

Ms. MacIntyre invited other members of the audience to comment.

Leona Cooper Baker said she talked with Ms. Davis who indicated a willingness to work with the Lola B. Walker Homeowners Association and said she wanted her house to remain. Ms. Baker asked if a solution could be reached to save the house from demolition and suggested the possibility of transforming it to a museum. She recalled that 13 houses were designated years ago, and only three of the 13 were restored before funding ceased. She urged the Board not to demolish the house and to help with creative ideas to preserve it.

Judith Davis said the house she was born in was demolished before the neighborhood was designated, and said she found it difficult to come to City Hall to address the changes to her neighborhood, part of the original settlement in the community and one of the few ways to ensure the heritage of her children and grandchildren. She said that sufficient funding should have been found so people living in designated houses could continue to live in their homes, and added that urban blight occurred because the next generation wasn't able to afford to take care of their heritage homes. She indicated a willingness to work with Ms. Margaret Davis and the Homeowners Association to create solution suggestions.

Mildred Carlow stated for the record that she was a member of the Homeowners Association and opposed to demolition.

There being no further requests to speak, Ms. MacIntyre closed the public hearing. Numerous Board questions, suggestions and comments included the following:

- The amount of outstanding City fines is \$12,075, plus two invoices, one for \$500 and one for \$600, for work authorized by the City to remove two beehives and further secure the property;
- The homeowner is responsible for paying for demolition;
- Approval of demolition does not relieve the homeowner of outstanding fines;
- Fines may be mitigated to zero at the will of the Code Enforcement Board;
- Restoration and rehabilitation of the original house is preferable to replication;
- The Zoning Code does not allow wood frame construction;
- If demolition were to be denied, the applicant could appeal the decision to the City Commission;
- The City has not granted or loaned money for restorations, and State grants for preservation are not available to individual homeowners;
- A special taxing district has not been established;

- The Board's Trust Fund donated \$10,000 at the beginning of the preservation project. Current Trust Fund balance is approximately \$42,000;
- To stabilize the house would cost over \$10,000;
- Staff researched available sources for preservation help several months ago, and suggested the possibility that the University of Miami might work on the project, construction and materials donations, etc.;
- The national registry provides no protection for its designated structures;
- The house appears to have lost its historical integrity;
- Concern was expressed about the lack of maintenance that left the home in deplorable condition;
- The house in its current state is a nuisance that is attractive to the wrong types of people;
- There are between seven and ten houses in the district that need some degree of restoration, though not all of them are vacant (staff will research this);
- Concern was expressed that the City failed to adequately communicate with the owner of this home since the owner was willing to perform repair and not allowed to;
- The Board can recommend that the Code Enforcement Board mitigate the outstanding fines;
- The City should consider ensuring that the house does not pose a danger to anyone;
- Creative effort to finding \$10,000 over a specified period to stabilize the shell of the house would be worthwhile;
- The applicant needs to take leadership to determine the property's outcome;
- The Board could reprieve or delay demolition with the condition that the owner return with a plan, evidence of resources available to stabilize the property, and a commitment from both the owner and the Homeowners Association to bear responsibility for the outcome;
- Consider a dollar-for-dollar matching grant with the homeowner to stabilize the house;
- The house is in this condition because the homeowner relied on the County funding program;
- The County is working on revising guidelines for the GOB to make it more reasonable for funding;
- The University of Miami School of Architecture may be interested in this type of project;
- When an unsafe structure letter was issued, staff requested time to work out a solution (from Code Enforcement) and received approval to let the issue rest until no later than the next hurricane season. The Board has the ability to defer to allow the homeowner an opportunity to develop options.

Mr. Sanabria made a motion to defer the application for 60 days. Within those 60 days, the applicant and others, with input from staff regarding resources, will devise a plan to, at a minimum, stabilize the property or restore it; and that the Code Enforcement Board be asked to consider mitigating fines for this property in light of this effort. Ms. Bennett seconded the motion.

Roll Call: Ayes: Ms. Meyers, Mr. Sanabria, Mr. Santos, Ms. Rolando, Ms. Thomson, Mr. Beeman, Ms. Bennett, Ms. Maroon, Ms. MacIntyre. Nays: None.

Ms. Kautz requested information about resource contacts or suggestions. Ms. MacIntyre commented that the Dade Heritage Trust had a revolving fund. If a committee is formed to work on the project, Ms. MacIntyre, Ms. Meyers, Mr. Santos and Ms. Bennett indicated a willingness to serve on it along with the homeowners association and owner.

CASE FILE COA (SP) 2008-24 An application for the issuance of a Special Certificate of Appropriateness for the property located at 647 Escobar Avenue, a local historic landmark, legally described as Lots 3 and 4, Block 133, Coral Gables Country Club Section Part Six, as recorded in Plat Book 20, at Page 1, of the Public Records of Miami-Dade County, Florida. The applicant is requesting design approval for the construction of additions and alterations to the existing residence.

Ms. Kautz described the history of the house and its features as she displayed photographs. She concluded by saying that staff had no issues with the proposed addition for the rear of the property. Their only recommendation was to secure additional information about concrete columns. Information about the pool and pool decking required another application.

Architect Pedro Bravo reviewed additions constructed in the 1990s as well as the proposed design for the new additions and alterations. At the conclusion of his presentation, Ms. MacIntyre opened the floor for public comment. Hearing no requests to speak, she closed the public hearing.

Mr. Santos clarified a few issues on the plans, adding that they were well developed. To Ms. Meyers' inquiry about the exclusion of the pool and decking from the application, Ms. Kautz responded that information was missing regarding materials. She also said that a separate permit for the pool and pool decking could be handled administratively. Ms. Meyers expressed her preference that applicants furnish the entire property project to the Board.

Mr. Santos made a motion to approve the application with staff recommendations. Mr. Sanabria seconded the motion.

Roll Call: Ayes: Mr. Sanabria, Mr. Santos, Ms. Rolando, Ms. Thomson, Mr. Beeman, Ms. Bennett, Ms. Maroon, Ms. Meyers, Ms. MacIntyre. Nays: None.

BOARD ITEMS:

Ms. MacIntyre thanked staff for their hard work and the support they provided to the Board to make their job easier. She also thanked the Board for participation, attendance and effort, and added her request that Board members wait to be recognized speaking during meetings to facilitate her efforts as chair.

Ms. Kautz reported that the City Attorney would give a brief course on Sunshine Law on Thursday, January 15, 2009.

Mr. Sanabria stated that this or the next meeting would be his last with the Board.

Ms. MacIntyre raised the issue of Castile Park in regard to efforts to replace the plaque originally donated by the Coral Gables Garden Club. Ms. Kautz said she had unsuccessfully attempted to contact the Coral Gables Garden Club president to discuss it and would follow up. She will continue to research background detail of the plaque.

ADJOURNMENT:

There being no further business to be discussed, the meeting adjourned at 6:26 p.m.

Respectfully submitted,

Kara N. Kautz
Historic Preservation Officer