CITY OF CORAL GABLES

- MEMORANDUM -

TO:	HONORABLE PLANNING & ZONING BOARD MEMBERS	**DATE:**	FEBRUARY 11, 2025
FROM:	STAFF	**SUBJECT:**	UPDATES TO 5810 MAGGIORE [1]

At the November 13, 2024, Planning and Zoning Board Meeting, the Board reviewed the application for a Conditional Use for separation of a building site at 5810 Maggiore St. The application was recommended for denial by the Board. The Board discussed concerns that the proposed 2-story homes were not consistent with the mature neighborhood of ranch style homes. The Board also discussed the difficulty of satisfying the criteria of the Zoning Code.

At the January 14, 2025, City Commission meeting, the application was presented and reviewed by the Commission. Some Commissioners inquired about the reasoning behind the Planning and Zoning Board's recommendation for denial. Questions regarding floor area ratio (FAR) and setback requirements for the building site separation were also clarified, and the history and background of the 6009 Maggiore building site separation were discussed.

During the City Commission meeting, the applicant claimed that the application met the criteria due to the non-voluntary demolition that creates the nonconformity, citing an Engineering Evaluation report recently submitted as evidence of the building's derelict state. However, since this report had not been presented to or reviewed by the Planning and Zoning Board, the City Commission made a motion to remand the application back to the Planning and Zoning Board for further review and evaluation.

The submitted engineering report concludes that based on the age and level of deterioration, a complete demolition and replacement is the most practical approach to result in a safe and useable structure(s). After reviewing the report, Staff contacted the applicant to request to visit the property for inspection, as some findings in the report are not directly supported by the included photos.

Staff maintains the recommendation for denial[2], as the application does not satisfy criteria (b) or (c) under Subsection F.4 in Section 14-202.6.

The Applicant's Engineering Evaluation report is provided in Attachment A.

ATTACHMENTS:
Attachment A – Applicant's Engineering Evaluation report.
Attachment B – Notice mailed to all property owners within 1,000 feet and legal ad.

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1 This memo is intended to provide updated background information and to supplement Staff's prior recommendation from November 13, 2024.
2 The Staff Report for this application was presented at the November 13th, 2024, Planning and Zoning Board Meeting.

Property Consulting Group, Inc.

Date: January 22, 2025

Prepared for: Manny Liz, Owner Representative
Legacy 5810 LLC

Reference: Engineering and Architectural Evaluation of Single Family Residence
5810 Maggiore Street
Coral Gables, Florida 33146
4,538 SF Building Built in 1947 with additions in 1962 and 1994 on 20,006 SF Lot
Folio: 03-4129-027-2000

Property Consulting Group, Inc. (PCG) performed an Engineering and Architectural inspection of the above reference property on December 10, 2024 to evaluate the building in regard to the condition of the structure and to determine the feasibility to rehabilitate the existing structure.

Description of Building:

The subject building was constructed in 1947 with additions in 1962 and 1994 according to the Miami Dade County tax records. The one-story residential structure was constructed using concrete masonry unit (CMU) walls with reinforced concrete tie-beams and tie-columns. The perimeter walls are supported by continuous reinforced concrete footings. The roofs are supported by wood trusses and/or wood joists with wood frame interior walls with plaster and lathe. The roof systems consist of built up roofing materials covered with masonry roof tiles. The home has a U shaped footprint with a central courtyard space containing a swimming pool.

Project Background:

A review of a letter dated May 13, 2024 from the Coral Gables Historical Resources and Cultural Arts Department indicated that the aged and obsolete structure does not have any historical significance. Additionally, our review of maps provided from the Historical Resources and Cultural Arts Department indicated that the structure is outside of any designated historical area. **Therefore, the Historical Resources staff will not require review by the Historic Preservation Board if an application is made for a demolition permit.**

Additionally, a review of level 2 Tree Risk Assessment prepared on April 20, 2024 by John Sutton, ISA Certified Arborist #SO-0326 indicated that there is a large tree in close proximity to the building known as a Live oak (Quercus virginiana) 50” dbh, height 65’, canopy size 70’x70’, in fair to poor condition growing in a small green space surrounded by pavers in a parking area and it extends over a living area of the house, it has branches that are too heavy on the branch ends (liontailed), decay is present in 1st order branches, heart rot fungal growth was present, rubbing branches, it has a co-dominate branch structure and hat-racked lightly from over one portion of the house.

Potential damage targets are the house, parked cars, people and landscape. Hazardous conditions are trip hazards, large branches breaking and most likely to failing with branches hitting the house. **The tree would qualify for removal as per Florida Statue 163,045.**

For existing trees, there is a minimum amount of area, above (for the trunk and crown) and below ground (for soil health and the root system vitality) that is required to protect trees and preserve tree health. This area is identified as the Critical Root Zone (CRZ) and is generally agreed to be equivalent to the soil area below ground and the space above ground defined by the tree's dripline, or the greatest extent of the branches. Significant risk of catastrophic failure exists if structural roots within this given radius are destroyed or severely damaged. Limits of disruption are based upon tree diameter (DBH) at 4.5 feet above the ground.

The Critical Root Zone for all trees as the circular area above and below ground with a radius equivalent to the greater of 6 feet or 1.0 feet for every inch in trunk diameter at 4.5 feet above the ground. For example, a tree with a trunk diameter (DBH) of 10 inches has a CRZ of 10 feet (10 inches x 1.0) around the tree. While the radius of the CRZ is 10 feet, the diameter of the entire CRZ is 20 feet. **Tree diameter was determined to be 50" dbh with a height of 65' and a canopy size 70'x70'. Based upon a diameter of 50" the CRZ would be approximately 50 feet and this would place the root systems under the foundations of the building.**

Observations/Findings:

The 1940's construction pre-dates modern day code requirements which now mandate much more stringent structural and wind-storm provisions. Windstorm requirements mandating tie down provisions and structural aspects were not observed to be utilized . The exterior envelope lacks required vapor barriers and necessary thermal insulation components. Moisture intrusion and vapor retardant issues are prevalent throughout. Flooring materials such as wood planks or carpet are decayed, warped and discolored throughout. Mold and mildew is apparent at carpet, drapes and furnishings.

Exterior walls exhibit pervasive cracking along surfaces that brings their integrity into question. It is believed that extensive roots of large mature trees adjoining the structure have likely undermined and intruded below the foundation systems and this has resulted in widespread cracking along walls and displacement/settlement of wall sections and interior slabs.

Exterior windows and doors are in poor condition with displacement and racking apparent. Many door and window units are inoperable. Displacement and racking are typically an indication of impending structural failure. Wood framing utilized at the roof and ceiling structure is improperly vented and is now heavily decayed as well as dry rotted. Termite damage is further evident in a number of areas.

The roof is obsolete and exhibits advanced degradation with numerous improper patch repairs apparent. Leaks and water damage is evident at many of the ceilings at the interior spaces below. Kitchen and bathrooms are original with outdated fixtures and cabinetry. The electrical service is original, outdated and undersized. Interior electrical wiring likely utilizes cloth or other improper insulation materials which is non compliant with current codes and represents a potential fire safety liability.

The HVAC system is older generation and requires a complete replacement. Pavement adjoining the front of the building is in unsafe condition. Paving has heaved up in many areas from the roots of a large overgrown live oak tree in the front yard which has damaged the entire driveway.

Conclusions:

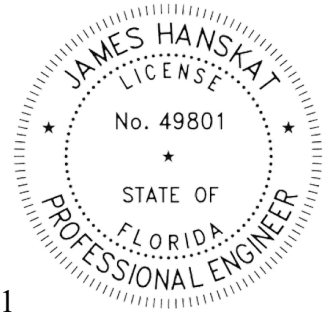
The existing structure is highly aged and in deteriorated condition. Rehabilitation of the building is not economically feasible due to age, poor condition, termite damage, mold and water intrusions, code compliance, and structural issues. The work necessary to correct the identified deficiencies and ensure a safe and code compliant structure is impractical to perform. Such would entail cost prohibitive replacements of primary components including foundation, floor slabs, framing system, roof, exterior walls, and MEP systems. The cost for rehabilitations is prohibitive and far outweighs the more practical alternative for full removal and reconstruction.

The subject structure is over 75 years of age and exhibits significant deferred maintenance with degradation of key building components apparent. No significant improvements or upgrades to the original building systems are evident. The building's exterior envelope, structural systems, as well as mechanical, electrical, plumbing, and roofing systems appear all to be in poor condition and have long surpassed their Estimated Useful Life (EUL). **Based on the age and level of deterioration, a complete demolition and replacement is the most practical approach to result in a safe and useable structure(s).**

In order to avoid any possible misunderstanding, nothing in this report should be construed directly or indirectly as a guarantee for any portion of the structures inspected. To the best of my knowledge and ability, this report represents an accurate appraisal of the present condition of the property based upon careful evaluation of observed conditions, to the extent reasonably possible.

Sincerely,

James T Hanskat



James Hanskat, P.E., President
Property Consulting Group, Inc.
Florida Licensed Professional Engineer # 49801

Attachments:

Photo Log
Arborist Report
Historical Significance Letter

Historical Resources and Cultural Arts
2327 Salzedo Street
Coral Gables, FL 33134
Phone: 305-460-5093
Email: Hist@coralgables.com

Historical Significance Determination Letter for 5810 Maggiore Street

May 13, 2024

Legacy 5810 LLC
5810 Maggiore St
Coral Gables, FL 33146

Re: 5810 Maggiore Street, legally described as Lot 11 to 14, Block 119, Coral Gables Riviera Section, according to the Plat thereof, as recorded in Plat Book 31, at Page 1, of the Public Records of Miami-Dade County, Florida.

Dear Property Owner,

Section 8-107(G) of the Coral Gables Zoning Code states that "All demolition permits for non-designated buildings and/or structures must be approved by the Historic Preservation Officer or designee. The approval is valid for eighteen (18) months from issuance and shall thereafter expire and the approval is deemed void unless the demolition permit has been issued by the Development Services Department. The Historic Preservation Officer may require review by the Historic Preservation Board if the building and/or structure to be demolished is eligible for designation as a local historic landmark or as a contributing building, structure, or property within an existing local historic landmark district. 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 ninety (90) days from the Historic Preservation Officer determination of "eligibility." Consideration by the Board may be deferred by mutual agreement by the property owner and the Historic Preservation Officer. The Historic Preservation Officer may require the filing of a written application on the forms prepared by the Department and may request additional background information to assist the Board in its consideration of eligibility. Independent analysis by a consultant selected by the City may be required to assist in the review of the application. All fees associated with the analysis shall be the responsibility of the applicant. The types of reviews that could be conducted may include but are not limited to the following: property appraisals; archeological assessments; and historic assessments."

Therefore, please be advised that after careful research and study of our records and the information you presented the following information has been determined:

5810 Maggiore Street, legally described as Lot 11 to 14, Block 119, Coral Gables Riviera Section, according to the Plat thereof, as recorded in Plat Book 31, at Page 1,of the Public Records of Miami-Dade County, Florida *does not meet* the minimum eligibility criteria for designation as a local historic landmark. Therefore, the Historical Resources staff *will not* require review by the Historic Preservation Board if an application is made for a demolition permit.

Please note that, pursuant to Section 14-107.5(b)(15) of the Coral Gables Zoning Code, this determination does not constitute a development order and is valid for a period of eighteen (18) months. In the case where the Historic Preservation Officer or designee determines that the property does not meet the minimum eligibility criteria for designation, a permit for the demolition of the property must be issued within the eighteen-month period.

Upon expiration of the eighteen-month period, you will be required to file a new application. Any change from the foregoing may be made upon a demonstration of a change in the material facts upon which this determination was made.

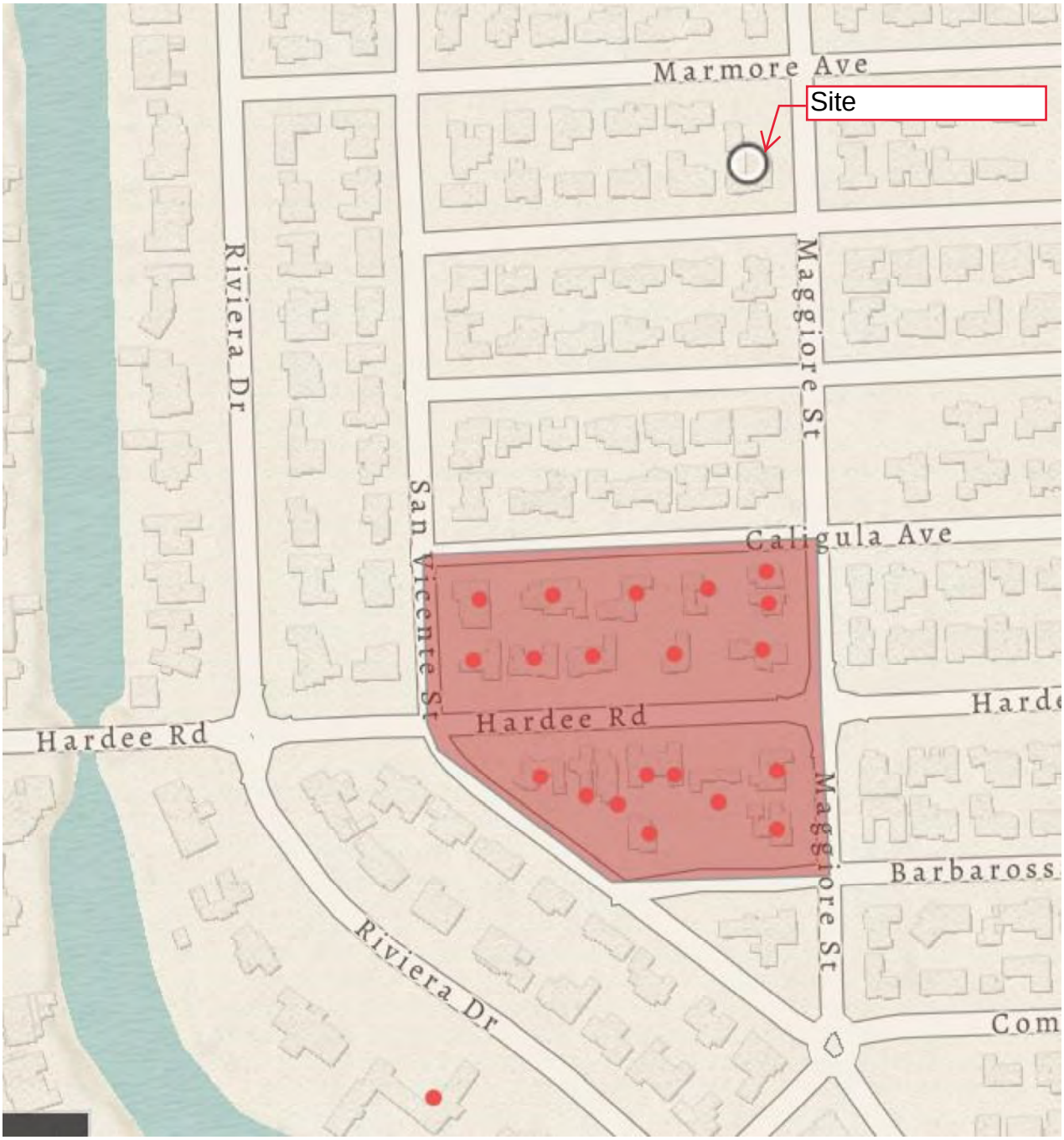
If you have any further questions concerning this matter, please do not hesitate to contact this office.

Sincerely,

Anna C. Pernas,
Historic Preservation Officer

Copied

- Edward Baker, Esq. 1450 Brickell Avenue, Ste. 1900, Miami, FL 33131
- Cesar Garcia-Pons, Chair, Historic Preservation Board
- Cristina M. Suárez, City Attorney
- Stephanie Throckmorton, Deputy City Attorney
- Gustavo Ceballos, Assistant City Attorney
- Douglas Ramirez, Development Services Assistant Director
- Jennifer Garcia, City Planner
- Analyn Hernandez, P/T, Plans Coordinator Assistant
- Historical Significance Request Property File


Marmore Ave
Site
Riviera Dr
Maggiore St
San Vicente St
Caligula Ave
Hardee Rd
Hardee Rd
Maggiore St
Riviera Dr

CONSULTING ARBORIST, INC.

Arboriculture Tree Report

5810 Maggiore St, Coral Gables, Fl

Name: Legacy 5810 LLC
Attn.: Tomas E. Cabrerizo
Address: 3850 Bird Rd #800
Miami, Fl 33146

Date: April 20, 2024
Phone: 305.710.1372
Email: naixala@legacyresidential.com

Prepared by: John Sutton
International Society of Arboriculture Certified Arborist

Certification of Performance

I, John Sutton, certify to the best of my knowledge, and abilities:

That I have personally inspected the tree(s) and or the property referred to in this report.

That it is my professional opinion, that the following report is true, and the conclusions and results stated are correct based on the information received about the property evaluated and the evaluation methods followed.

That the reported analyses, opinions, and conclusions are only limited by the reported assumptions, methods and limiting conditions and my personal, unbiased professional analyses, opinions and conclusions.

That Sutton Consulting Arborist, Inc. acts as an independent tree, and landscape consultant. This firm has no prospective or current interest in the property evaluated or interest/bias with respect to the parties involved.

That this Report, or parts of this Report, have not been revealed to any party other than the Client named and will not be revealed to any other party unless authorized to do so by Client named or by due process of law or by legally required public testimony by this firm of these results.

_____John Sutton_____
John Sutton/Sutton Consulting Arborist
ISA Certified Arborist #SO-0326

Report

I. Introduction

This is a single-family residential home. My assignment is to perform a level 2 Tree Risk Assessment based on ANSI A-300 (Part 9, 2017) and Best Management Practices – Tree Risk Assessment, Second Edition (2017).

II. Property Involved

The property involved is 5810 Maggiore St, Coral Gables, FL. I arrived on site 04-18-2024.

III. Data Collection

The property/trees were evaluated by site visit to determine environmental conditions, species, size (DBH and height) condition as a percentage and pictures.
Tools used were a camera and diameter tape.

IV. Limiting Conditions

This "Arboriculture Report" includes only the listed trees, landscape conditions in the immediate area where the tree is located, and conditions caused by or attributable to the trees on this property. We did not evaluate and make no evaluation or conclusions regarding any other part of the landscape or other items of this property.

Limits of the Assignment

1. This report is not intended as and does not represent legal advice and should not be relied upon to take the place of such advice.

2. This report is limited to documenting the condition of the tree on the dates given. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant can neither guarantee nor be responsible for the accuracy of information provided be others.

3. Loss or alteration of any part of this report invalidates the entire report.

4. Sketches and photographs used in this report are intended as visual aids only and are not necessarily to scale.

Limitations of Tree Risk Assessment

1. Tree risk assessment is limited in scope to the specific risk of interest and does not include all risk.

2. Tree risk assessment considers significant known and/or assigned targets and visible or detectable tree conditions.

3. Tree risk assessment represents the condition of the tree and site at the time of inspection.

4. Not all defects are detectable and not all failures are predictable.

5. The time frame for risk categorization should not be considered a "guarantee period" for the risk assessment.

6. Only those trees specified in the scope of work were assessed and assessments were performed within the limitations specified.

7. Any tree, whether it has visible weaknesses or not, will fail if the forces applied exceed the strength of the tree or its parts.

8. This tree risk Assessment is based on "normal weather" for the region.

V. Discussion

It is imperative to acknowledge that a landscape, distinct from a forest or wild habitat, is meticulously designed and maintained to achieve a controlled environment. Trees, when not planted with careful consideration of species and mature size in relation to their surroundings, can cause substantial damage to structures. Consequently, it is paramount to allocate sufficient green space for both the above and below-ground mature tree dimensions to mitigate conflicts with adjacent structures. Neglecting proper tree selection and placement not only diminishes the aesthetic appeal and value of a landscape but also elevates the risk of property damage, bodily harm, and associated financial burdens. A professionally designed and maintained landscape, encompassing trees, shrubs, and plants, traditionally augments property values while providing stability and visual cohesion. Furthermore, trees growing in clusters rely on each other for root system stability, wind buffering, and shading, presenting a unified appearance from an aerial perspective. The removal of one or more trees from such clusters can significantly compromise their health, structural integrity, and visual harmony. Understanding that most tree roots extend horizontally within the top 6-12 inches of soil, with mature root spreads reaching 2-3 times the diameter of the tree's crown, is crucial for informed landscape planning and management.

Trees provide numerous benefits to those living and working in the urban environment, these benefits increase with tree size and age. However, older, and larger trees are also more likely to drop branches or cause root conflicts on the sites they inhabit. In managing these trees, tree owners must recognize the tree benefits and risks.

An urban landscape is not a forest, woods, or other wild habitat. It is intended to be a planned and controlled environment. Trees can cause considerable damage to structures when not planted in the right locations based on species and mature size. Trees should be planted with adequate green space for mature tree size both above and below ground in-order to prevent conflicts with structures above and below ground. The appearance and value of residential landscapes suffer, and the property devaluates due to poor tree selection and placement.

Poorly planned landscapes also give rise to possible property damage, bodily injury and other negative circumstances and unnecessary expenses

Professionally designed and professionally maintained landscape, plants, shrubs, and trees

traditionally stabilize and/or increase property values.

Trees growing in groups depend on each member of the group for stability of their root systems, wind breaks and shade. They work as one unit and appear as one from an aerial view. The loss of one or more from the group can and does have a detrimental effect on health, stability as well as aesthetics.

Most tree roots grow out horizontally from the tree in the top 6-12 inches of soil. A mature tree's roots can spread 2-3 times the diameter of the tree's crown or canopy.

Critical Root Zone (CRZ)

For existing trees, there is a minimum amount of area, above (for the trunk and crown) and below ground (for soil health and the root system vitality) that is required to protect trees and preserve tree health. This area is identified as the Critical Root Zone (CRZ) and is generally agreed to be equivalent to the soil area below ground and the space above ground defined by the tree's dripline, or the greatest extent of the branches. Significant risk of catastrophic failure exists if structural roots within this given radius are destroyed or severely damaged. Limits of disruption are based upon tree diameter (DBH) at 4.5 feet above the ground. We define the Critical Root Zone for all trees as the circular area above and below ground with a radius equivalent to the greater of 6 feet or 1.0 feet for every inch in trunk diameter at 4.5 feet above the ground. For example, a tree with a trunk diameter (DBH) of 10 inches has a CRZ of 10 feet (10 inches x 1.0) around the tree. While the radius of the CRZ is 10 feet, the diameter of the entire CRZ is 20 feet.

Generally, the full Perimeter (PCRZ) is considered the optimum amount of root protection for a tree. (The ICRZ is identified as the inner half of the CRZ radius). As root impact occurs within the PCRZ, greater post care will be required for the tree to remain alive and stable. The absolute maximum disturbance allowed must still leave the ICRZ undisturbed if the tree is to have any chance of survival.

The CRZ (Critical Root Zone) is calculated at 1" of root for each inch of trunk diameter at or near breast height (dbh). This gives the radius of the CRZ.

Example:

Tree Diameter	CRZ	Tree Diameter	CRZ
2" diameter	2' radius	16" diameter	16' radius
4" diameter	4' radius	20" diameter	20' radius
6" diameter	6' radius	24" diameter	24' radius
10" diameter	10' radius	30" diameter	30' radius
12" diameter	12' radius	40" diameter	40' radius

The CRZ of a tree, also called the "tree protection zone", is often defined as an imaginary circle on the ground that corresponds with the "dripline" of the tree. However, the dripline is very irregular and misleading, so the trunk diameter is referred to.

This is a generally accepted method for measuring CRZ, root systems do vary in depth and spread based on size of tree, soil quality, water table, species, and other related factors such

as root obstructions. If the rooting area is restricted by structures, soil compaction, impermeable soil layers, excessive soil water, or a high-water table, the root system may not develop well enough to adequately anchor the tree.

Tree risk

Trees or parts of trees may fail and cause injury to people or property. It is important to evaluate trees for risk. While all trees have the potential to fail, only a small number hit something or someone (a target). There is no such thing as a completely "safe" tree.

Tree risk assessment has a unique set of terms with specific meanings. Definitions of all specific terms may be found in the International Society of Arboriculture's Best Management Practice for Tree Risk Assessment. Definitions of some of these terms used in this report are as follows: The likelihood of failure maybe categorized as imminent meaning that failure has started or could occur at any time; probable meaning that failure may be expected under normal weather conditions within the next 3 years; possible meaning that failure could occur, but is unlikely under normal weather conditions during that time frame; and improbable meaning that failure is not likely under normal weather conditions, and may not occur in severe weather conditions during that time frame.

The likelihood of the failed tree part impacting a target may be categorized as high meaning that a failed tree or tree part will most likely impact a target; medium meaning that a failed tree or tree part may or may not impact a target with equal likelihood; low meaning that the failed tree or tree part is not likely to impact a target and very low meaning that the chance of a failed tree or tree part impacting the target is remote.

The Likelihood of Failure and Impact is defined by Table 1, the Likelihood Matrix:

Matrix I. Likelihood Matrix

Likelihood of Failure	**Likelihood of Impacting Target**			
	Very Low	**Low**	**Medium**	**High**
Imminent	Unlikely	Somewhat likely	Likely	Very likely
Probable	Unlikely	Unlikely	Somewhat likely	Likely
Possible	Unlikely	Unlikely	Unlikely	Somewhat likely
Improbable	Unlikely	Unlikely	Unlikely	Unlikely

The consequences of a known target being struck may be categorized as severe meaning that impact could involve serious personal injury or death, damage to high value property, or disruption to important activities; significant meaning that the impact may involve personal injury, property damage of moderate to high value, or considerable disruption; minor meaning that impact could cause low to moderate property damage small disruptions to traffic or a communication utility, or minor injury; and negligible meaning that impact may involve low value property damage, disruption that can be replaced or repaired, and do not involve personal injury.

Targets are people, property, or activities that could be injured, damaged or disrupted by a tree failure.

Levels of assessment 1) Limited visual assessments are conducted to identify obvious defects. 2) Basic assessments are visual inspections done by walking around the tree looking at the site, buttress roots, trunk and branches. It may include the use of simple tools to gain information about the tree or defects. 3). Advanced assessments are performed to provide detailed information about specific tree parts, defects, targets of site conditions. Drilling to detect decay is an advanced assessment technique.

Tree Risk Ratings are terms used to communicate the level of risk rating. They are defined in Table 2, the Risk Rating Matrix, as a combination of Likelihood and Consequences: Overall tree risk rating is the highest individual risk identified for the tree. The residual risk is the level of risk the tree should pose after the recommended mitigation. Mitigation priority 1 is defined as mitigation activities that should be e scheduled prior to the next growing season. Mitigation Priority 2 can be scheduled on the next routine maintenance cycle.

Matrix II. Risk Rating Matrix

Likelihood of Failure & Impact	**Consequences of Failure**			
	Negligible	**Minor**	**Significant**	**Severe**
Very likely	Low	Moderate	High	Extreme
Likely	Low	Moderate	High	High
Somewhat likely	Low	Low	Moderate	Moderate
Unlikely	Low	Low	Low	Low

Hazard tree

A tree identified as a likely source of harm. For a tree to be considered a hazard it needs a target. A target being something to harm should it fail or parts of it fail. All trees with a target present a hazard to some degree. I have used a hazard evaluation form to try and quantify the likelihood of tree failure and the severity of the consequences to assist in mitigating identified hazards within these trees. Trees develop faults as they grow, as they mature these faults become weaker and failure could occur. There are some treatments that can reduce or eliminate some faults such as trimming or cabling and other faults where there is no reasonable way to mitigate the risk they create, and removal is the only option.

Overall tree risk ratings; Low, Moderate, High, Extreme

Tree trimming

As trees grow in the landscape it is not uncommon for structural deficiencies to develop unless structure pruning is performed throughout the years leading up to tree maturity. Structural deficiencies such as co-dominate leaders with inclusions are the most common points of failure. I recommend removing hazardous trees (red paint dot on tree trunk) and mitigating the hazards some trees create due to poor structure using acceptable arboriculture practices. Acceptable practices used may be one of the following methods or a combination of, removing or reducing leaders/branches with poor unions, cabling and or bolting to reduce risk of failure.

Please see links below for more information.

https://hort.ifas.ufl.edu/woody/structural-pruning-flash.shtml and https://wwv.isa-arbor.com/events/conference/proceedings/2013/GILMAN_Structural%20Pruning.pdf

Restricted soil space. If rooting area is restricted by structures, soil compaction, impermeable soil layers, excessive soil water, or a high-water table, the root system may not develop well enough to adequately anchor the tree.

Trees or parts of trees may fail and cause injury to people or property. It is important to evaluate trees for risk. While all trees have the potential to fail, only a small number hit something or someone (a target). There is no such thing as a completely "safe" tree.

Managing Tree Risk:
An arborist can help you manage the trees on your property and can provide treatments that may help reduce the risk associated with certain trees. An arborist familiar with tree risk assessment may suggest one or more of the following:

Remove the target. While a home or a nearby power line cannot be moved, it is possible to move picnic tables, cars, landscape features, or other possible targets to prevent them from being hit by a falling tree.

Prune the tree. Remove the defective branches of the tree. Because inappropriate pruning may weaken a tree, pruning work is best done by an ISA Certified Arborist.

Cable and bracing the tree or tree part. Providing physical support for weak branches and stems to reduce the potential of failure. Such supports do not guarantee against failure.

Remove the tree. Trees with unacceptable levels of risk are best removed. If possible, plant a new tree that is appropriate for the space as a replacement.

Recognizing and reducing tree risk not only increases the safety of persons and property, but also improves the tree's health and may increase its longevity!

Risk Tolerance: Risk tolerance is the amount of risk you are willing to accept. Different people have varying amounts of risk they will tolerate. You will have to decide your own risk tolerance and decide on a course of action foe these trees.

Wood Decay Fungi in Trees; https://ipm.ucanr.edu/PMG/PESTNOTES/pn74109.html

Several fungal diseases, sometimes called heart rots, sap rots, or canker rots, decay wood in tree trunks and limbs. Under conditions favoring growth of specific rot fungi, extensive portions of the wood of living trees can decay in a relatively short time (i.e., months to years). Decay fungi reduce wood strength and may kill storage and conductive tissues in the sapwood. While most species of woody plants are subject to trunk and limb decay, older and weaker trees are most susceptible.

DAMAGE

Decay fungi destroy cell wall components; including cellulose, hemicellulose, and lignin, that make up the woody portion of a tree. Depending on the organism, decay fungi can destroy the living (sapwood) or the central core (heartwood) part of the tree. Decay isn't always visible on the outside of the tree, except where the bark has been cut or injured, when a cavity is present, or when rot fungi produce reproductive structures.

Wood decay can make trees hazardous, as infected trunks and limbs become unable to support their own weight and fall, especially when stressed by wind, heavy rain, or other conditions. Decay can also be hidden, affecting wood strength without any outward sign of its presence. Decay fungi typically reduce the weight of wood by growing through the vascular tissues and degrading some or all major cell wall components and absorbing breakdown products of cellulose or hemicellulose. A 10% loss of wood weight can result in 70 to 90% loss in wood strength. Many branches that fall from trees appear sound, but upon analysis, they were colonized by wood decay organisms.

Symptoms and Management

A tree with slowed growth, branch dieback, smaller than normal leaves or needles, excessive cone or seed set, premature autumn leaf coloration, or severe winter twig kill may be exhibiting early symptoms of a disease. Nothing can be done for the tree once it is infected. Nor is it likely that the fungus can be completely eliminated from the soil or general area around the tree once the tree is removed.

A tree with fungal fruiting structures on several limbs, the trunk, buttress, or roots should be removed promptly if it is in a location where property damage may occur, or people or pets could be struck by falling limbs or the falling tree. If most of the tree appears healthy, any single branches with fungal fruiting structures should be removed promptly, regardless of the identity of the fungus present. https://extension.psu.edu/tree-diseases-that-create-hazards

Fla. Stat. 163,045:

(1) A local government may ***not*** require a notice, application, approval, permit, fee, or mitigation for the pruning, trimming, or removal of a tree on residential property if the property owner obtains documentation from an arborist certified by the International Society of Arboriculture or a Florida licensed landscape architect that the tree presents a danger to persons or property.

(2) A local government may not require a property owner to replant a tree that was pruned, trimmed, or removed in accordance with this section.

Most local government agencies request prior notice for tree removal under this statute, by providing a copy of this report. Most local government agencies have minimum landscape requirements written into their landscape codes that must be maintained.

VI. Conclusions and Recommendations

The tree subject of this report is a Live oak (*Quercus virginiana*) 50” dbh, height 65’, canopy size 70’x70’, condition fair-poor. The tree is growing in a small green space surrounded by pavers in a parking area, it extends over a living area of the house, it has branches that are to

heavy on the branch ends (liontailed), decay is present in 1st order branches, heart rot fungal growth present, rubbing branches, it has a co-dominate branch structure and hat-racked lightly from over one portion of the house.
Targets are house, parked cars, people and landscape.
Hazardous conditions: Trip hazard, large branches breaking
Part most likely to fail large branches

The likelihood of a failure, striking a person is moderate and the consequences to the person would be severe. The likelihood of a failure striking a parked car is moderate and the consequences to the car would be high.
Recommendations for mitigation is removal of the tree, or move targets, restrict access into strike zone, crown reduction, crown restructuring, and removal of defective part(s).
Residual risk after mitigation would move from moderate risk to low risk.

Likelihood of a person tripping is high and consequences would be severe.
Recommendations for mitigation is removal of the tree or removing the pavers and adding soil over the roots.
Residual risk after mitigation would move from moderate risk to low risk.

The tree would qualify for removal as per Florida Statue 163,045.

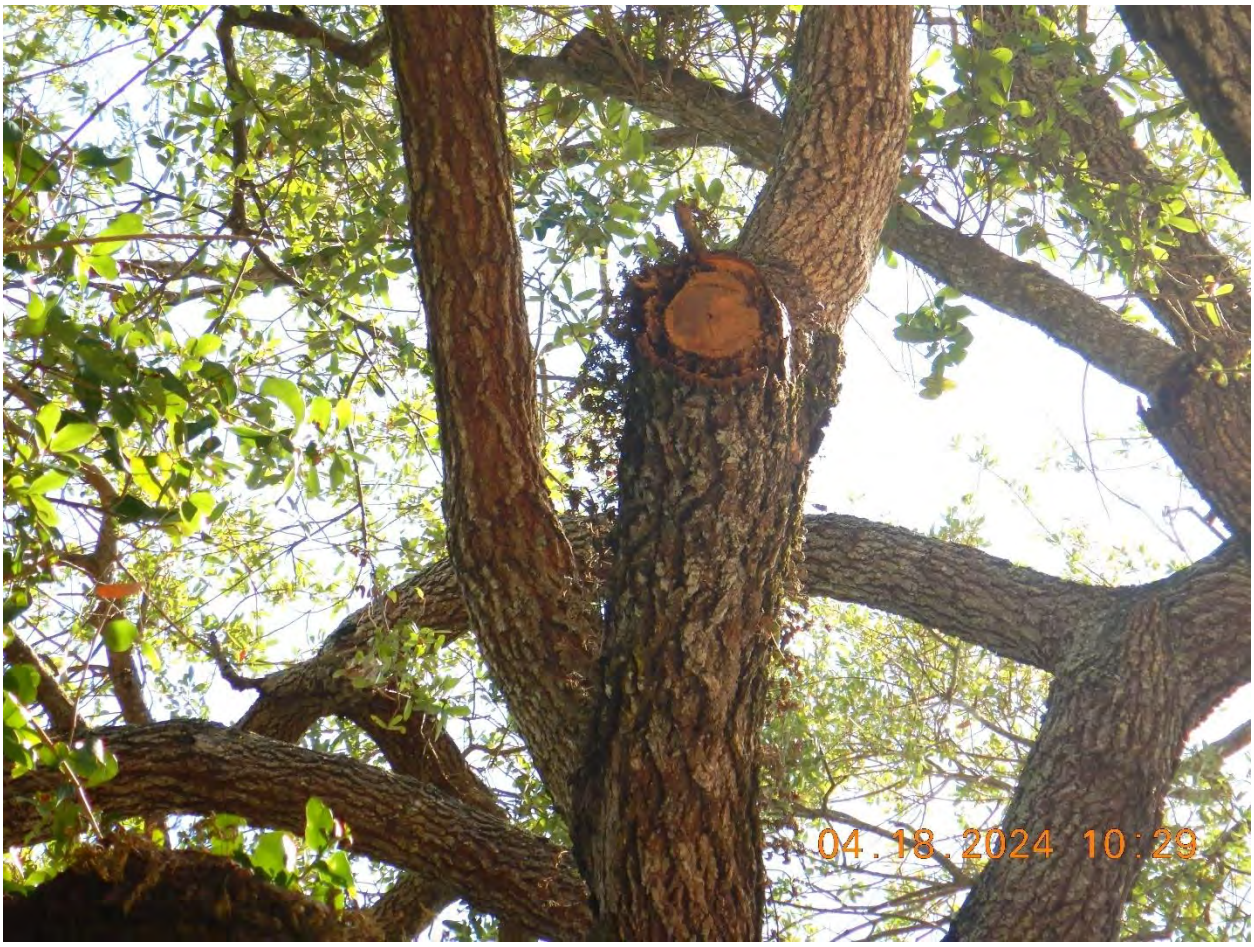
I recommend reassessments yearly and after severe weather events.

Please see the satellite image marked with the approximate tree location and pictures below.

Subject tree surrounded by pavers.

Decay in main fork where branch was removed.

Decay where branches were removed.



Decay in branches.

Pavers lifted due to roots.

Pavers lifted due to roots.

Pavers lifted due to roots.

Pavers lifted due to roots.

Branches with heavy end weight over roof of living area.

Decay where branch was removed, circle is a heart rot fungal growth.

Glossary of Terms

Codominant – nearly equal size stems.

Consequences – effects or outcome of an event. In tree risk assessment, consequences include personal injury, property damage, or disruption of activities due to the event.

Defect – an imperfection, weakness, or lack of something necessary. In trees defects are injuries, growth patterns, decay, or other conditions that reduce the tree's structural strength.

Drip line – imaginary line defined by the branch spread of a single plant or group of plants.

Event – occurrence of a particular set of circumstances. In tree risk assessment, a tree or tree part impacting a target.

Failure (tree failure) – breakage of stem, branch, roots, or loss of mechanical support in the root system.

Harm – personal injury or death, property damage, or disruption of activities.

Hazard – situation or condition that is likely to lead to loss, personal injury or death, property damage, or disruption of activities, a likely source of harm. In relation to trees, a hazard is the tree part(s) identified as a likely source of harm.

Hazard tree – a tree identified as a likely source of harm.

Included bark (inclusion) – bark that is embedded between a branch and its parent stem, or between codominant stems, decreases the strength of the attachment.

Impact – striking a target or causing a disruption that affects activities.

Lean – angle of the trunk.

Likelihood – the chance of an event occurring. In the context of tree failures, the term may be used to specify: 1) the chance of a tree failure occurring; 2) the chance of impacting a specified target; 3) the combination of the likelihood of a tree failing and the likelihood of impacting a specified target.

Mitigation – in tree risk management, the process for reducing risk.

Risk – the combination of the likelihood of an event and the severity of the potential consequences. In the context of trees, risk is the likelihood of a conflict or tree failure occurring and affecting a target, and the severity of the associated consequences – personal injury, property damage, or disruption of activities.
Risk analysis – the systematic use of information to identify sources and to estimate the risk.

Risk assessment – the process of risk identification, analysis, and evaluation.

Risk evaluation – the process of comparing the assessed risk against given risk criteria to determine the significance of the risk.

Risk management – the application of policies, procedures, and practices used to identify, evaluate, mitigate, monitor, and communicate tree risk.

Risk matrix – a tool for ranking and displaying risk by assigning ratings for consequences and likelihood.

Structural defect – feature, condition, or deformity of a tree that indicates a weak structure or instability that could contribute to tree failure.

Target (risk target) – people, property, or activities that could be injured, damaged, or disrupted by a tree.

Target zone – the area a tree or branch is likely to land if it were to fail.

Please feel free to contact me should you have any questions.

In Support

_____John Sutton_____

John Sutton/Sutton Consulting Arborist
ISA Certified Arborist #SO-0326
TRAQ, Tree Risk Assessment Qualification
PPQ, Pruning Prescription Qualification
LIAF, Certified Landscape Inspector #2002-202

Sutton Consulting Arborist is staffed by professional Arborists, Horticulturists, and Landscape Inspectors. We utilize associates with expertise in their fields to provide the most accurate, efficient and useful information available to clients. We stand behind our work and can additionally answer any questions or fulfill needs for additional information or services.

OFFICE OF THE PROPERTY APPRAISER

Detailed Report

Generated On: 12/06/2024

PROPERTY INFORMATION	
Folio	03-4129-027-2000
Property Address	5810 MAGGIORE ST CORAL GABLES, FL 33146-2830
Owner	LEGACY 5810 LLC
Mailing Address	5810 MAGGIORE ST CORAL GABLES, FL 33146
Primary Zone	0100 SINGLE FAMILY - GENERAL
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths /Half	5 / 3 / 0
Floors	1
Living Units	1
Actual Area	4,538 Sq.Ft
Living Area	4,021 Sq.Ft
Adjusted Area	4,187 Sq.Ft
Lot Size	20,006 Sq.Ft
Year Built	Multiple (See Building Info.)

ASSESSMENT INFORMATION			
Year	**2024**	**2023**	**2022**
Land Value	$2,700,810	$2,200,660	$1,700,510
Building Value	$447,681	$448,413	$449,145
Extra Feature Value	$31,251	$31,381	$31,528
Market Value	$3,179,742	$2,680,454	$2,181,183
Assessed Value	$1,140,318	$1,107,105	$1,074,860

BENEFITS INFORMATION				
Benefit	**Type**	**2024**	**2023**	**2022**
Save Our Homes Cap	Assessment Reduction	$2,039,424	$1,573,349	$1,106,323
Homestead	Exemption	$25,000	$25,000	$25,000
Second Homestead	Exemption	$25,000	$25,000	$25,000

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

TAXABLE VALUE INFORMATION			
Year	**2024**	**2023**	**2022**
COUNTY			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$1,090,318	$1,057,105	$1,024,860
SCHOOL BOARD			
Exemption Value	$25,000	$25,000	$25,000
Taxable Value	$1,115,318	$1,082,105	$1,049,860
CITY			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$1,090,318	$1,057,105	$1,024,860
REGIONAL			
Exemption Value	$50,000	$50,000	$50,000
Taxable Value	$1,090,318	$1,057,105	$1,024,860

OFFICE OF THE PROPERTY APPRAISER

Generated On: 12/06/2024

Property Information

Folio: 03-4129-027-2000

Property Address: 5810 MAGGIORE ST

Roll Year **2024** Land, Building and Extra-Feature Details

LAND INFORMATION

Land Use	Muni Zone	PA Zone	Unit Type	Units	Calc Value
GENERAL	SFR	0100	Square Ft.	20,006.00	$2,700,810

BUILDING INFORMATION

Building Number	Sub Area	Year Built	Actual Sq.Ft.	Living Sq.Ft.	Adj Sq.Ft.	Calc Value
1	3	1994	594	330	418	$51,936
1	2	1962	498	290	353	$37,065
1	1	1947	3,446	3,401	3,416	$358,680

EXTRA FEATURES

Description	Year Built	Units	Calc Value
Whirlpool - Attached to Pool (whirlpool area only)	2011	36	$4,435
Wall - CBS unreinforced	1987	285	$752
Wall - CBS unreinforced	1947	80	$176
Pool 6' res AVG 3-8' dpth, plain feat 250-649 sf	1957	1	$15,000
Patio - Brick, Tile, Flagstone	1957	800	$5,280
Chain-link Fence 4-5 ft high	1975	200	$1,100
Aluminum Modular Fence	1989	195	$4,508

OFFICE OF THE PROPERTY APPRAISER

Generated On: 12/06/2024

Property Information

Folio: 03-4129-027-2000

Property Address: 5810 MAGGIORE ST

FULL LEGAL DESCRIPTION

CORAL GABLES RIVIERA SEC 10
PB 31-1
LOT 11 TO 14 INC BLK 119
LOT SIZE IRREGULAR
OR 21182-1259 03/2003 1
COC 23859-0831 10 2005 1

SALES INFORMATION

Previous Sale	Price	OR Book-Page	Qualification Description
01/29/2024	$2,250,000	34077-3922	Qual by exam of deed
06/21/2014	$100	29256-0375	Corrective, tax or QCD; min consideration
01/24/2011	$910,000	27581-0007	Qual by exam of deed
10/01/2005	$1,540,000	23859-0831	Sales which are qualified
03/01/2003	$820,000	21182-1259	Sales which are qualified
08/01/1985	$320,000	12620-2769	Sales which are qualified
10/01/1981	$220,000	11255-1641	Sales which are qualified
09/01/1978	$130,000	10150-1872	Sales which are qualified

5810 Maggiore Street Coral Gables, FL 33146

Front Elevation

South Elevation

5810 Maggiore Street Coral Gables, FL 33146

West Elevation

Front Entryway

5810 Maggiore Street Coral Gables, FL 33146

North Elevation

West Elevation

5810 Maggiore Street Coral Gables, FL 33146

Front Driveway

Roof

Roof- Patching Evident

Roof- Degradation of Tiles/Patching

Roof-Degradation of Tiles

Roof- Degradation of Tile

5810 Maggiore Street Coral Gables, FL 33146

Roof- Degradation of Soffit

Interior View

5810 Maggiore Street Coral Gables, FL 33146

Interior View

Interior View

5810 Maggiore Street Coral Gables, FL 33146

Interior View

Interior View

Wood Flooring- Cupping

Interior Ceiling- Degradation/Leaks

Interior Ceiling- Water Damage and Leaks

Interior Ceiling- Water Stains

Ceiling- Water Staining

Exterior Wall Cracking - Foundation Failure

Exterior Walls- Cracking

Exterior Wall Cracking - Foundation Failure

Erosion/Spalling of Foundation

Foundation- Cracking

Exterior Wall- Cracking

Exterior Wall- Cracking

Exterior Walls- Cracking

Exterior Walls- Cracking

Exterior Walls- Degraded Stucoo

Floor Tile- Cracking

Pool Deck Cracking

Pool Deck Cracking

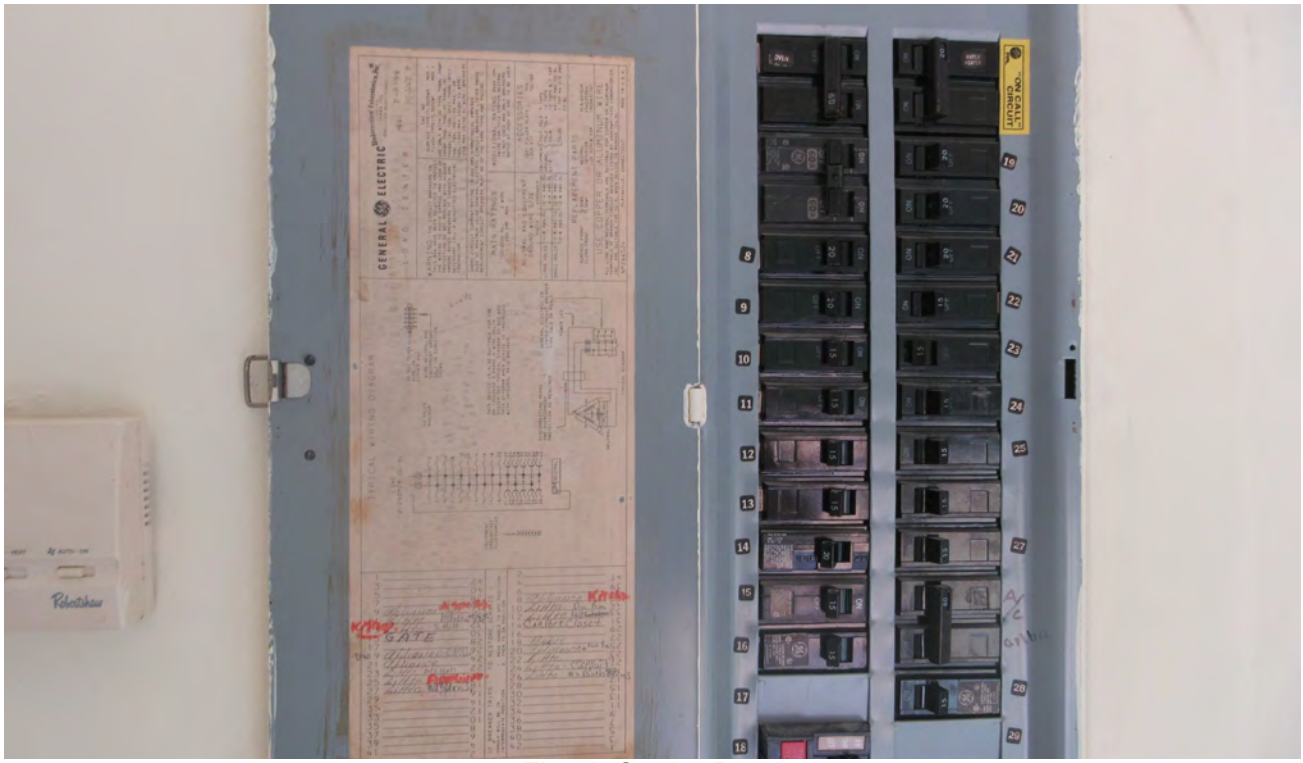
Pool Deck Cracking

Non-Functional Glass Doors

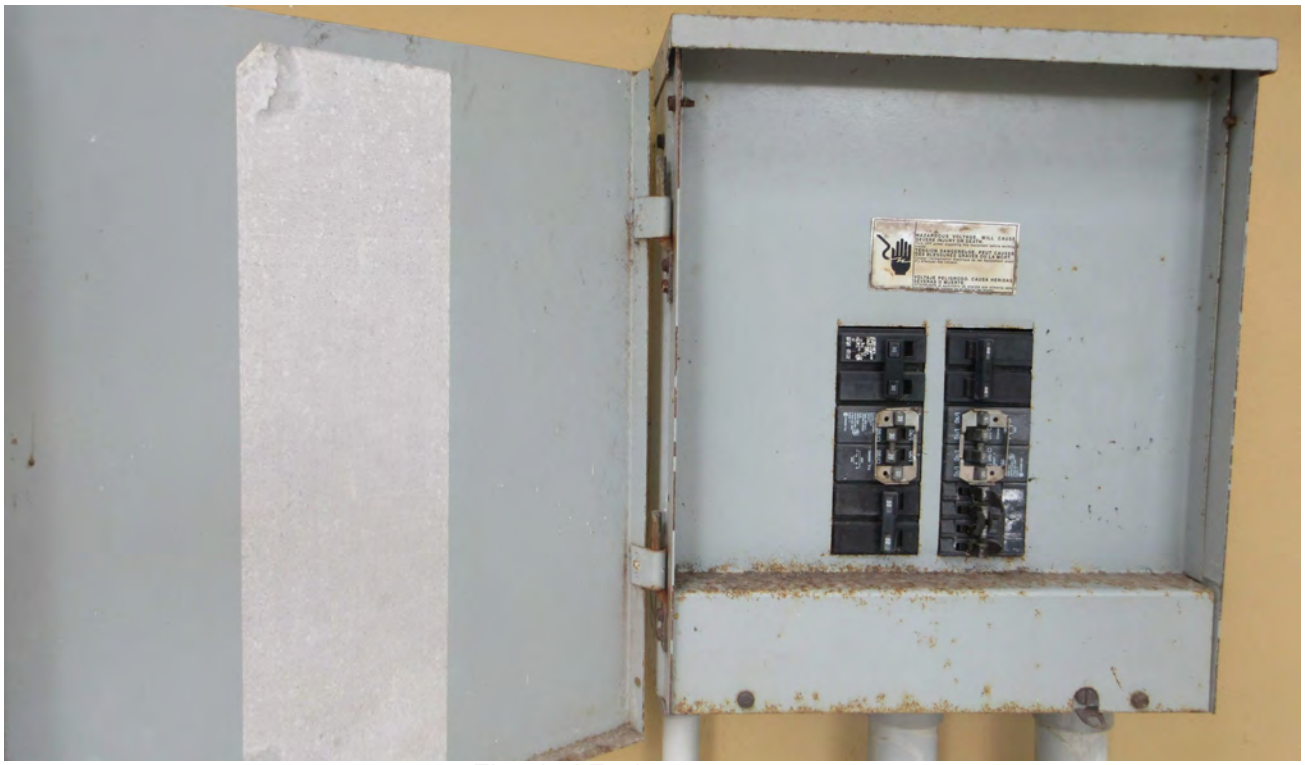
Soffit- Degradation

Soffit- Degradation

Electric Service



Electric Service Panel



Electrical Equipment

Driveway- Displacement of Pavers

Driveway- Heaving of Pavers

Driveway- Heaving of Pavers

City of Coral Gables
Public Hearing Notice

Applicant:	**Legacy 5810 LLC**
Application:	**Conditional Use Review– Building Site Separation**
Property:	**5810 Maggiore St.**
Public Hearing - Date/Time/ Location:	**PLANNING & ZONING BOARD** **Wednesday, February 12, 2025, 6:00 p.m.** Community Meeting Room, Police and Fire Headquarters, 2151 Salzedo Street, Coral Gables, Florida, 33134 e-comments: www.CoralGables.GranicusIdeas.com/meetings

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Planning & Zoning Board will conduct a Public Hearing on **Wednesday, February 12, 2025** on the following application at the Coral Gables Community Meeting Room, Police and Fire Headquarters, 2151 Salzedo Street, Coral Gables, Florida:

> *An Ordinance of the City Commission of Coral Gables, Florida granting Conditional Use for a Building Site Determination approval pursuant to Zoning Code Article 14, "Process", Section 14-202.6, "Building Site Determination" and Section 14-203, "Conditional Uses" to separate one single-family building site on the property zoned Single-Family Residential (SFR) District, legally described as Lots 11, 12, 13 and 14, Block 119, Riviera Section, Coral Gables, Florida into two building sites; one building site consisting of Lot 11 and 12 (north parcel), and the other building site consisting of Lot 13 and 14 (south parcel); including required conditions; providing for a repealer provision, severability clause, and an effective date.*

An Application has been submitted by Mr. Edward G. Baker, Esq. on behalf of Legacy 5810 LLC (the "Applicant") to the City of Coral Gables for a conditional use review of a building site separation. The Applicant seeks to build 2 single-family homes - one home on Lot 11 and 12, and the other home on Lot 13 and 14, Block 119, Riviera Section, Coral Gables, Florida. The application request requires review and recommendation by the Planning and Zoning Board at one (1) public hearing, and consideration by the City Commission at two (2) public hearings (Ordinance format).

Additional information may be found at www.coralgables.com. Please forward to other interested parties.

The meeting will also be via Zoom at www.zoom.us/j/83788709513. A dedicated phone line will also be available by dialing: (305) 461-6769, Meeting ID: 837 8870 9513.

Sign up to receive future public notices via email at https://shorturl.at/N3X6w.

Sincerely,

City of Coral Gables, Florida

Public Notice - Local Planning Agency/Planning and Zoning Board Public Hearing

Coral Gables | Publish Date: Jan 31, 2025

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA)/ Planning and Zoning Board (PZB) will conduct Public Hearing on Wednesday, February 12, 2025, at 6:00 p.m., Community Meeting Room located at Coral Gables Police and Fire Headquarters, 2151 Salzedo Street, Coral Gables, Florida 33134.