

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2011-21

RESOLUTION OF THE CITY COMMISSION GRANTING THE APPEAL FILED BY F. W. ZEKE GUILFORD, ESQUIRE/APPLICANT, APPLICATION NO. BA-10-10-5515, THEREBY REVERSING THE DECISION OF THE BOARD OF ADJUSTMENT, TO GRANT A VARIANCE TO ALLOW A SINGLE FAMILY RESIDENCE TO HAVE A REAR YARD AREA GROUND COVERAGE FOR ACCESSORY USES AND STRUCTURES OF (7.4 PERCENT), ONE THOUSAND AND NINETY SQUARE FEET (1,090), OF THE PROPERTY WHICH IS LOCATED AT 4995 HAMMOCK LAKE DRIVE. LEGALLY DESCRIBED AS LOT 17, BLOCK 3 OF HAMMOCK LAKE PARK, PB 44/PG 87, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

WHEREAS, F. W. Zeke Guilford, Esquire, applicant, has filed an appeal to the Coral Gables City Commission from a decision of the Board of Adjustment, wherein said Board denied application for a variance as more particularly described in Item No. 2 of said application (grant a variance to allow the proposed single family residence to have a rear yard ground coverage for accessory use and structures (7.4 percent), one thousand and ninety square feet (1,090) in accordance with Section A-56 (D) of the Coral Gables Zoning Code) at its regular hearing of Monday, December 6, 2010; and

WHEREAS, on October 14, 2010, preliminary approval of the plans by the Board of Architects was made following its review of same; and

WHEREAS, on November 23, 2010, public notice of the regularly scheduled meeting of the Board of Adjustment was advertised by the Board of Adjustment; and

WHEREAS, on December 6, 2010, the Board of Adjustment passed and adopted Resolution No. 5002-ZB which denied the applicant's request; and

WHEREAS, on December 30, 2010 and January 14, 2011 respectively, a public notice of the appeal was duly advertised in the Miami Daily Business Review in addition to letters mailed to properties within one thousand feet of the subject property; and

WHEREAS, a request for postponement dated January 10, 2011 was submitted to the City Manager by the Law Firm of Guilford & Associates, P.A., requesting that said appeal be deferred from January 11, 2011 to January 25, 2011 City Commission meeting further noting that in accordance with Section 3-608(A)(1) of the Zoning Code, said request was granted; and

WHEREAS, after reviewing the record and decision of the Board of Adjustment, and having heard testimony from all interested parties, the City Commission by a 3-2 majority vote on a motion made by Commissioner Withers and seconded by Vice Mayor Kerdyk ultimately reversing the decision made by the Board of Adjustment and granted the appeal;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES.

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission does hereby grant the appeal and the decision of the Board of Adjustment is hereby reversed.

SECTION 3. That this resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF JANUARY, A.D., 2011.

(Moved: Withers / Seconded: Kerdyk)

(Yea: Kerdyk, Withers, Slesnick)

(Nays: Anderson, Cabrera)

(Majority 3-2 Vote)

(Agenda Item: E-1.1)

APPROVED:

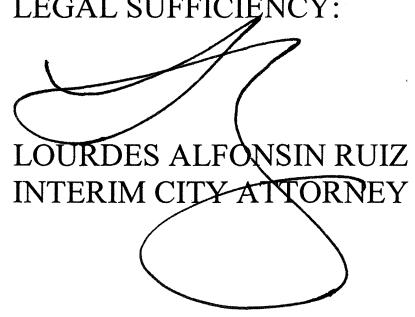


DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


LOURDES ALFONSIN RUIZ
INTERIM CITY ATTORNEY