



COA (SP) 2019-001 REVISED
June 21, 2023

Historical Resources &
Cultural Arts

2327 SALZEDO STREET
CORAL GABLES
FLORIDA 33134

☎ 305-460-5093
✉ hist@coralgables.com

**STAFF REPORT
SPECIAL CERTIFICATE OF APPROPRIATENESS
FOR THE PROPERTY AT
1417 OBISPO AVENUE
A CONTRIBUTING RESOURCE WITHIN
THE OBISPO AVENUE HISTORIC DISTRICT**

Proposal: The application requesting design approval for additions and alterations to the residence, construction of a two-story auxiliary structure, and sitework was approved by the Historic Preservation Board on March 21, 2019. A variance has been requested from Article 2, Section 2-101 D (4) c and Section 2-101 D (5) of the Coral Gables Zoning Code for the auxiliary structure's minimum rear setback.

Architect: PGS Architect (Pedro G. Suarez, AIA)

Owner: Mario Yngerto

Legal Description: Lot 36, Block 18, Coral Gables Section "E," according to the Plat thereof, as recorded in Plat Book 8, at Page 13 of the Public Records of Miami-Dade County, Florida.

Site Characteristics: The property is located on the north side of Obispo Avenue between Madrid Street and Ferdinand Street. The primary façade faces south onto Obispo. The lot size is approximately 50 feet by 150 feet.

BACKGROUND/EXISTING CONDITIONS

In May of 2008, the "Obispo Avenue Historic District" was listed in the Coral Gables Register of Historic Places. It is comprised of residences abutting Obispo Avenue. The district boundaries are Cortez Street on the east and Ferdinand Street on the west. The property at 1417 Obispo Avenue is a contributing resource within the historic district.

Permit #152 was issued for the construction of the residence at 1417 Obispo Avenue. The plans cannot be located and the architect is unknown. Constructed ca. 1923, the residence was featured in the "Avenue Obispo" promotional pamphlet that George Merrick published in 1924 to highlight smaller homes. The residence has undergone some significant alterations since the time of its construction. Many are being remedied as part of COA (SP) 2019-001 approved in March of 2019. The project is currently in the final stages of permitting.



Figure 1: c.1940 photo

PROPOSAL

The application requesting design approval for additions and alterations to the residence, construction of a two-story auxiliary structure, and sitework was approved by the Historic Preservation Board on March 21, 2019. At that time, a variance for the location of the new auxiliary structure was not identified. Zoning reviewers have indicated that a variance will be necessary to allow the auxiliary structure to have a 5'-0" rear setback. This location was indicated on the site plan that was previously approved by the Board.

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

The following Standards have application in this matter:

9. *New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*
10. *New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

STAFF OBSERVATIONS

In 2019, a Special Certificate of Appropriateness was approved for additions, alteration, and sitework on the property at 1417 Obispo Avenue. A two-story auxiliary structure located in the northeast corner of the property and with a 5'-0" rear setback was proposed as part of this COA and approved by the Historic Preservation Board.

Staff was initially supportive of the 5'-0" rear setback as the property originally had a detached garage structure in the same location with an approximately 4'-6" rear setback. (See survey attached at the end of this report.) Staff required that, at a minimum, five feet be provided.

Staff was informed in 2019 that a variance would not be necessary if the setback was approved by the Board of Architects/City Architect. During permit review, Zoning has requested that a variance be granted to allow the rear setback to be 5'-0" rather than the required 10'-0".

VARIANCE

A variance has been requested from Article 2, Section 2-101 D (4) c and Section 2-101 D (5) of the Coral Gables Zoning Code for the auxiliary structure's minimum rear setback.

The following variance is being requested:

Grant a Variance to allow a two-story accessory structure to have a rear setback of approximately five (5) feet where ten (10) feet is required per Section 2-101 D (4) (c), and Section 2-101 D (5) of the Coral Gables Zoning Code.

The Coral Gables Zoning Code requires that all properties maintain a 10'-0" minimum rear setback. The Code also notes that: "If compatible with the neighborhood character, the Board of Adjustment or the Historic Preservation Board, as applicable, may allow a rear setback of five (5) feet for one-story structures." This request is in keeping with the setbacks that currently exist within the historic district.

BOARD OF ARCHITECTS

N/A

STAFF CONCLUSION

The application presented requests approval for a variance to allow the proposed auxiliary structure to have a rear setback of 5'-0" rather than the required 10'-0". There is no impact on the integrity of the existing historic district. The project presented under COA (SP) 2019-001 was approved with the requested setback. The variance is being requested to satisfy the Zoning review and allow the permit to be issued.

A variance from the Coral Gables Zoning Code has been requested. The Historical Resources staff finds that the following criteria, necessary for authorization of the variance, apply:

Criteria	Yes/No
1) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.	Yes
2) That the special conditions and circumstances do not result from the actions of the applicant.	Yes
3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district.	Yes
4) That literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Code and would work unnecessary and undue hardship on the applicant.	Yes
5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.	Yes
6) That granting the variance will not change the use to one that is different from other land in the same district.	Yes

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7) That the granting of the variance will be in harmony with the general intent and purpose of the Zoning Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.	Yes
8) That the granting of the variance is appropriate for the continued preservation of an historic landmark or historic landmark district.	Yes

Staff supports the granting of the requested variance.

Therefore, Historical Resources Department Staff recommends the following:

A motion to **APPROVE** a variance to allow a two-story accessory structure to have a rear setback of approximately five (5) feet where ten (10) feet is required per Section 2-101 D (4) (c), and Section 2-101 D (5) of the Coral Gables Zoning Code.

Respectfully submitted,



Anna Pernas
Historic Preservation Officer

