

City of Coral Gables City Commission Meeting
Agenda Item F-1
May 23, 2023
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago
Vice Mayor Rhonda Anderson
Commissioner Melissa Castro
Commissioner Ariel Fernandez
Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez
City Manager, Peter Iglesias
City Clerk, Billy Urquia
Acting Historic Preservation Officer, Kara Kautz

Public Speaker(s)

Wayne Pathman
Peter Saliamonas
Karelia Carbonell
Ernesto Perez
Eduardo Benedetti
Bruce Bernstein
Arturo Fanjul
Catalina Perez
Doris Youmans
Maria Cruz

Agenda Item F-1 [10:08 a.m.]

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Agenda Item F-1 - Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on September 21, 2022, to designate the property located at 1221 Milan Avenue, legally described as Lot 9, Block 39, Coral Gables Granada Section Revised, according to the Plat thereof, as recorded in Plat Book 8, at Page 113 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

An Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on September 21, 2022, to designate the property located at 1221 Milan Avenue, legally described as Lot 9, Block 39, Coral Gables Granada Section Revised, according to the Plat thereof, as recorded in Plat Book 8, at Page 113 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

Mayor Lago: Moving forward, let's move on to Item F-1 on the agenda, which is a time certain appeal to the Coral Gables City Commission for the decision of the Historic Preservation Board on September 21st, 2022, to designate the property located at 1221 Milan Avenue.

City Attorney Suárez: Good morning, Mayor. As you said, Item F-1 is an appeal to the Commission from the decision of the Historic Preservation Board to designate the property located at 1221 Milan, legally described as Lot 9, Block 39, Coral Gables, Granada Section Revised, according to the Plat thereof, as recorded in Plat Book 8 at page 113 of the Public Records of Miami-Dade County. This is a quasi-judicial item pursuant to Section 14-208.6 of the City Zoning Code. This appeal is based on the record of the hearing before the Historic Preservation Board and shall not be a de novo hearing. What that means is that no new or additional testimony shall be taken or considered. This is an appeal based only on the record. As a reminder, your role in considering this appeal is: one, whether due process was afforded; two, whether the Historic Preservations Board decision was based on competent substantial evidence, and whether the essential requirements of law were met. The Commission's role is to determine whether the Zoning Code was followed, whether competent and substantial evidence supported the decision denying the request for historic designation. After the City Commission's review, the City Commission has four options as provided in the Zoning Code. One, the City Commission can affirm the decision of the Historic Preservation Board, which in this case designated as a local historic landmark, the property located at 1221 Milan. The City Commission can affirm the decision of the Historic Preservation Board with conditions. The City Commission can override the decision, which in this case would mean the property shall not be designated historic. Or the

City Commission can remand for further proceedings to the Historic Preservation Board. The Mayor, as Chair of the City Commission, with me as parliamentarian, has issued a procedural order that was provided in advance to the Commission and to the parties. Pursuant to that procedural order, the appellant will be allowed 30 minutes for presentation which shall be limited to the record before the Historic Preservation Board. Next, the Historic Preservation staff will be allowed 30 minutes for its presentation, which will also be limited to the record below. Next, there will be time for questions by members of the City Commission to staff or the parties, and then public comment will be allowed but will be limited to two minutes per speaker. Because the review of this appeal is not de novo, public comments shall not be considered testimony in this case. Finally, there will be time for additional questions and discussion by members of the City Commission. Because this is a quasi-judicial item, I do need to ask if there have been any ex parte communications that a member of the City Commission needs to disclose.

Mayor Lago: Yes.

Vice Mayor Anderson: Yes.

Commissioner Castro: Yes.

City Attorney Suárez: So, if you could please disclose those at this time.

Mayor Lago: Let's -- let's go through -- like I mentioned before, let's have everything run through the Chair, and then we'll move forward from there. So, as the Chairman of the Commission, I had a conversation with this gentleman yesterday. We did not talk about, you know, any particulars of the issue, and I said that we would have this conversation in the Commission floor as required by law. Thank you.

Vice Mayor Anderson: Mayor?

Mayor Lago: Yes, ma'am.

Vice Mayor Anderson: I also...

Mayor Lago: Vice Mayor.

Vice Mayor Anderson: I also had a conversation with this gentleman. I listened. It will not affect my analysis of the facts. I will rely upon the record on appeal.

Mayor Lago: Madam City Attorney.

City Attorney Suárez: Mayor, just one clarification. When you said and when the Vice Mayor said this gentleman, I just want to clarify for the record you mean the property owner.

Mayor Lago: The property owner.

Vice Mayor Anderson: Property owner.

Mayor Lago: He was the only one that came to the meeting. Yes, anyone else?

Commissioner Menendez: I...

Mayor Lago: Commissioner.

Commissioner Menendez: I -- the property owner came to meet with me in my office. I listened to him, and I also received -- I've received several emails from members of the community

regarding this matter, but I know I can move forward in an unbiased, focused way to reach a determination.

Mayor Lago: Commissioner, that's a great point that you made. I'm happy you brought that up because I know that we were all copied on emails that are part of the public record.

City Attorney Suárez: If those can be forwarded to the City Clerk, if they have not already -- if that has not already been done, please do so.

Mayor Lago: Mr. Clerk, we'll send you those in the break.

City Clerk Urquia: Thank you.

Mayor Lago: I think it was about five or six emails that we all received.

Commissioner Castro: The property owner also met me in my office and any conversation that we had was already on the record. There was no new information.

Mayor Lago: Commissioner?

Commissioner Fernandez: And I met with the property owner as well. I had a member of the City Attorney's Office present to ensure there was no issues with that meeting.

Mayor Lago: Moving forward, Commissioner -- Madam City Attorney.

City Attorney Suárez: So, if -- Mayor, if you're ready, the property owner can start his presentation.

Wayne Pathman: Good morning, Mr. Mayor, and Commissioners, and staff. My name is Wayne Pathman. I'm with the Law Office of Pathman & Schermer, 2 South Biscayne Boulevard, Suite 2400, Miami. I'm here on behalf of Peter and Anne Saliamonas. As you know, this is an issue coming from the HPB and their decision to declare their home at 1221 Milan Avenue historic. Typically, I would be the one presenting everything before you and my client would wait patiently behind me hoping that you would make a decision in his favor. This morning, though, you're going to hear from Peter because Peter knows his house better than anybody. He also knows the report that was filed by the Board to determine his house historic better than anybody and has spent many, many hours in extensive research, as you'll see from what's being passed out now to you, in studying his house, studying the decision of the Board and learning all about historic preservation. I would ask that I be given a few minutes when he's concluded to make some final and closing comments. And if you're going to have any rebuttal after any presentation by the other side, I'd appreciate a few minutes to respond to that as well. With that, Peter.

Mayor Lago: Good morning, sir.

Commissioner Fernandez: Good morning.

Commissioner Castro: Good morning.

Peter Saliamonas: Good morning, everybody.

City Attorney Suárez: Is that your presentation, sir, or no?

Mr. Saliamonas: So, good morning. My name is Peter Saliamonas, and along with my wife, Anne, my daughter, Gabrielle, sitting behind me, we're appealing, of course, the historic designation for our home at 1221 Milan Avenue. Our home was sold to us with a clean title, no encumbrances, no historic designation. And now that we're trying to exercise what should be our right to build a

better, safer, and more sustainable home, we're facing without our consent this prejudicial historic designation. The hardship created by this designation will affect me and my family forever. Now, I understand that I need to address what was already stated on the record during the Historic Preservation Board meeting, which means I need to demonstrate why the report from the Historic Resources and Cultural Arts Department stating that my house meets the code is wrong. The packet I provided -- everybody has the packet, okay -- comprises the entire report and -- which we'll now review together. Thank you. But first, please take a look at the code. So, if you will, please turn to page 1 of the packet. This is the code that determines whether my home meets the standards for historic designation. So, to designate a home historic, it must have significant character, interest or value and meet one of the 11 criteria listed in categories A, B and C. The report asserts that my home satisfies historical cultural significance. Criterion 4 exemplifies the historical, cultural, political, economic, or social trends of the community. And in Category B, architectural significance, Criterion 1 portrays the environment in an era of history characterized by one or more distinctive architectural styles, and Criterion 2, embodies those distinguishing characteristics of an architectural style or period or method of construction. The code isn't simply an architectural checklist. One can't say stucco, check, concrete block, check, wing walls, check, et cetera. It has to have significant character or portray the environment in an era of history or embody those distinguishing characteristics. Please turn the page to the City's report. As we review this report, you'll see that it's vague. It doesn't state that this is an historic trend because of this, or this is an economic trend because of that. In fact, much of what's in the report has nothing to do with my home or even the code. Yet, at the end, it simply states that my home meets the criteria for historic designation. Please turn to page 1 of the report, you might already be there. The first paragraph states that my home was one of the first moderately priced cottage homes commissioned by George Merrick. Now it doesn't explicitly state that because my home was moderately priced that that makes my home part of an economic trend, but I don't know exactly what else it could be alluding to. Just because my home was moderately priced doesn't mean that it was part of an economic trend. In fact, in the 1920s, Merrick was building all sorts of homes, moderately priced to more expensive, luxurious homes, and if there was any trend that

characterized the Roaring Twenties, it certainly wasn't moderation. Overindulgence, big spending, and luxury personified the Roaring Twenties, not moderation. Anyway, you can't just say because a house was affordable, it represents an economic trend. Paragraph two is devoted to the architect who designed my home, Lewis Brumm, and the resident, Dr. John Tom Holdsworth. Please turn to the next page. This is, again, the historic code. It states significance when the home is, quote, "associated in a significant way with the life or activities of a major historic person important in the past." I see that the PowerPoint seems to be moving. I'm not doing that, I don't know. It's not part of the presentation yet anyway, okay. But the report doesn't say Criterion 1 applies to my home. So, why include Brumm and Holdsworth if they're not major historical figures? Because there's no true justification to declare my house historic. So, the report writes about these figures to give the impression there's something historically important associated with my home. Please turn the page, which is page 2 of the report. There are three paragraphs devoted to Coral Gables and the ideals of historic preservation, but nothing to do specifically with my home. But even though those paragraphs, those three paragraphs, have nothing to do with my home and nothing to do with the code, including it in the report affects the reader's impression. In fact, when I first read the report, I thought my aspiration to build a new home was doomed. But as I reread it, scrutinized it, and analyzed the code, I understood the report had little to do with my home. And at the bottom of page 2, it references the code, asserting that my home satisfies three criteria. Please turn to page 3 of the report. There's a bit on Coral Gables history followed by this statement: The home at 1221 Milan Avenue was constructed in 1923 and is indicative of the type of architecture that was the founding premise of Coral Gables. So what exactly is the founding premise of Coral Gables? It doesn't say in the report; however, in the book Coral Gables, Miami Riviera: An Architectural Guide, which was used as a reference for the City's report, it states that the City Beautiful movement, which was the premise of Coral Gables, resulted from the need to refashion cities to promote social, cultural, and economic harmony. The architecture was secondary. Merrick wasn't developing a new city to demonstrate the beauty and benefits of Mediterranean architecture. Of course, he liked the style, as do many of us, but his premise for developing a completely new city wasn't to promote Mediterranean architecture. He was inspired

to create a new community. And I think that that's an important distinction, the ideal that buildings are always secondary to people. Page 3 continues with more Coral Gable's history, prominent architects, and Mediterranean designs. Then it states that, quote, "the home at 1221 Milan Avenue exemplifies the Mediterranean ideals and climate adaptations espoused by City founder George Merrick," end quote. I find this misleading, writing about Frank Button, Denman Fink, and other significant architects that had nothing to do with my home, then immediately following it with a statement about my home. It just makes it look as though my home had something to do with those people. In fact, everything written about Coral Gables' history and its historical figures have nothing to do with what does or doesn't make my home historically significant. Please turn to page 4 of the report. There's more information about Merrick's overall plans for Coral Gables, the Garden City movement, etc. Also, it has nothing to do with what does or doesn't make my home historically significant. On pages 4 and 5, there's more information about the City's development timeline, including my neighborhood, which by the way is not in a historic district. Please turn to page 6 of the report. There's a quote from a 1925 publication from George Merrick characterizing the design tenets of moderately priced Mediterranean homes, design tenants of which my home doesn't even have, such as a cloistered entrance whose slightly pointed arched and carved columns lead to an open patio as finely thought out and executed as a Renaissance palace. That'd be great if that was my home, but it's not. At the bottom of page 6, more development timeline, again irrelevant. Please turn to page 7. More about cottage homes and a quote from George Merrick about how he and Mrs. Merrick felt pride and accomplishment as they drove through moderately priced neighborhoods at night, which speaks to my point about Merrick's true premise for developing a new city that it was first about community. Then there's a half page devoted to Merrick's brother-in-law who helped finance my home and the story of Francis Guest, who held the mortgage for my home. Once again, this has nothing to do with any of the criteria the report is using to claim why my home is historic. These are not major historical figures, and including these stories in the report simply tries to influence the reader's impression of my home. Please turn to page 8. Another paragraph on Coral Gable's history, which talks about a lull in construction following the 1926 hurricane and a post-war building boom, where

Mediterranean-style home construction was abandoned. Immediately following this historic recap, the report states that my home, quote, “retains its historic context.” This is not the correct way to measure whether a home is historically significant, as virtually every home can certainly be tied to some sort of historic context. There’s the post-war period from 1946 through the 1960s. Are all of those homes historic? Should a South Gables Ranch home be declared historic because it was built during the post-war building boom? Absolutely not. But according to the logic of this report, it should. If you designate my home historic, then you might as well designate every 1920s Mediterranean home, and that doesn’t make good preservation sense. From the bottom of page 8 and pages 9 and 10, the report discusses that my home was one of the eight cottage homes on Milan, which it wasn’t. More on that later. Please turn to page 10. It states that, quote, “the home at 1221 Milan Avenue, one of the earliest homes built in the City, was built as an archetype upon which Coral Gables was founded.” There’s absolutely no evidence to substantiate that claim. None. But if that’s truly the case, that my home is the archetype upon which Coral Gables was founded, and I don’t mean to sound sarcastic, but why did it take so long for anybody to realize this? And not only should my home be declared historic, but the City should buy it and restore it to its original condition and turn it into a museum. Continuing on page 10, discusses how Mediterranean homes work well in tropical environments. Nothing to do with whether my home is historic. Anyway, I really love Mediterranean homes. In fact, I want to build a new Mediterranean home, one with unique design features and better structurally with a concrete roof to protect my family during a hurricane and higher off the ground to protect against the possibility of future flooding. Continuing on page 10, discusses architectural features, some of which don’t exist, some are exaggerated, but which do not qualify my home as historic. I’ll discuss those later in the presentation. Pages 11 to 20 discusses changes to my home and architectural features and claims that only a few changes were made prior to the changes I made. This is not correct. I will demonstrate those changes later in the presentation. Please turn to page 21. You can find it with the tab.

Commissioner Castro: 21?

Commissioner Menendez: 21.

Mr. Saliamonas: It discusses ownership history focusing on Dr. Holdsworth. Once again, if the report isn't making the case for Criterion 1 that the house is connected to a major historical figure, why does it devote so much space to Dr. Holdsworth? Because there's no relevant evidence for historic designation, so it included irrelevant material to try to boost the case. Please turn to page 22, all about the architect who designed my home, Lewis Brumm. And once again, he's not considered a major historical person, Criterion 1, or prominent designer, Criterion 3. But his inclusion affects the reader's impression on my home. Please turn to page 23. The report concludes reciting the code and then states that my house meets historical, cultural, and architectural criteria. The next few pages of the report are references, a review guide, a list, which we'll get to soon, and a sketch. So, the report cited three criteria as reasons for declaring my home historic. Regarding Category A, Criterion 4, it didn't cite a political, cultural, or social trend. Instead, it tried to assert an economic trend because my home was affordable and an historic trend because it was built in the 1920s. As you can see, my house doesn't satisfy Criterion 4. That leaves Category B, Criteria 1 and 2. Criterion 1 states significance when a home, quote, "portrays the environment in an era of history categorized by one or more distinctive architectural styles." To satisfy this criteria, my home would have to possess an architectural feature specific to the era it was built and no other era. So, if an historian was looking at my home, he or she could say, you see that's a 1920s arch and no other homes in that area have those, or only homes in that era have those. But there's not a single distinctive architectural feature on my home that isn't also prevalent in other eras. Thus, my home does not satisfy Criterion 1. Please turn to the next tab and look at two photos of my home. The one on top, which was the one on the cover of the report, and the one on bottom, which is the way it currently looks. This is what you'd be designating. A simple, boxy looking home, something a realtor would euphemize as charming. When there are so many great examples of Mediterranean architecture, ones designed by prominent, significant architects and designers, what's the point in designating mine? It just doesn't make good preservation sense.

Criterion 2 states significance when a home embodies those distinguishing characteristics of an architectural style or period or method of construction. So, does it embody an architectural style? The report says it does for Mediterranean and cottage homes. As I'll soon demonstrate, my home isn't a cottage home. Is it Mediterranean? Well, of course it is, as is every home that's built with concrete block, textured stucco, barrel tile roofs, and a rounded window. Is that enough to declare my home significant? Absolutely not. Its characteristics are not only minimal but commonplace. There are far better examples of Mediterranean architecture in Coral Gables, and by prominent artists, designers, and architects like Phineas Paist, Denman Fink, Frank Button. In fact, my home -- declaring my home significant, I see as an insult to the collection of truly beautiful and truly significant Coral Gables homes and further diminishes the integrity of those remarkable homes. Regarding the claim that my home embodies the distinguishing characteristics of a period, a plain cheap home without distinguishing characteristics built during a time when so many wonderful and interesting Mediterranean homes were built contradicts the period, not personifies it. And finally, regarding the method of construction, like almost every home in Coral Gables and South Florida, it's built of concrete block, stucco, and has a crawlspace, nothing at all distinctive. If my home meets any of these criteria, then virtually all Mediterranean homes in Coral Gables can be declared historically significant, and not to be repetitive, but again, that does not make good preservation sense. The report relies heavily on the fact that my home is one of the original Coral Gables Cottages. There are two reasons why it isn't. First of all, the construction of what is now referred to as Coral Gables Cottages began October 25, 1923. Please turn the page. Please turn the page. This is my home's tax card showing that my home was built in 1922, the year before Coral Gables Cottages were built. Secondly, my home doesn't have design features of a Coral Gables Cottage, not as described in Articles from 1923, but most importantly, not as defined by Code Section 8-202 criteria for designation as a Coral Gables Cottage. Please turn the page. To be defined as a Coral Gables Cottage, it must meet 12 of 19 criteria which are original with the cottage. My home only meets six, which I've highlighted. I'll quickly go through them. Coral rock or stucco finish? Yes, my home is stucco. Combination roof type? Technically yes, but not a very good example. Front porch? No. Projecting bay on front elevation? No. Masonry arches

or arches springing from columns on front elevation? No. Decorative doorway surrounds? No. Decorative and/or predominant chimney? No, it's not original. Detached garage to the rear of the property? No. Similar decorative features, parapet and a roof slope on main house and detached garage? No. But the report states I have a detached garage and my parapets were designed to mirror the main house, but that's not correct. Porte cochère or carport? No. Decorative wing walls? Maybe, but not good examples. Barrel tile roof? No, my home has non-original S-tiles. Varied height between projecting and recessed portions of the front elevation? Yes. Vents grouped as decorative accents? Yes. Cast ornament and/or tile applied to front elevation? No. Built-in niches and/or planters? No. First floor above crawl space? Yes. Casement or sash windows? No. And loggias/arcade? No. So, that's 12 no's and 6 yes's, well short of the necessary 12. So, my home, according just to the code, is not a Coral Gables Cottage. In all the exaggerated, false, and misleading claims from this report, this was the most egregious. And by not disclosing the code, not disclosing the tax card, it's clear that this report was not created objectively, which violates the rules and standards set by the City to historic preservation, and as such, the entire report should be declared inadmissible. Even the members of Historic Preservation Board were fooled. Please turn the page to the transcript from the Historic Preservation Board hearing on my home. Board Member Dona Spain states that, quote, "when you're talking about a Coral Gables Cottage, that was also talked about by Merrick, but there is a specific term in the Zoning Code that is a Coral Gables Cottage." And so, they listed, I think there's -- please turn the page -- 19 criteria, and if your home qualified for 12 of these, it was considered a Coral Gables Cottage, and that's the list that Elizabeth had in her report which she checked off. "That's 12," Kara Kautz responded, "there are 19 criteria." Dona Spain continued, "that's what she was doing, she was going to that part of the Zoning Code and then checking off those things that your property has that qualifies it as a Coral Gables Cottage." I responded, quote, "I'm not sure if those are still on my home or if they were even ever a part of it. I think some of those are perhaps inaccurate. If we can look at them, because I went to --." And Dona Spain interjected and stated, "I can guarantee that they went out and looked at your house. I'm sure the staff went out and looked at your house in order to check off those criteria. I know that I wasn't with them, but that's what they do." Nowhere in

the report does it refer to that section of the code stating the 19 criteria demonstrating my home meets at least 12 of them. However, please look at the screen -- If I can do this. Here we go -- which shows page 27 of the report titled Character Defining Features. On the left, you can see how this checklist mimics the cottage home criteria checklist. There's 13 features, one more than the necessary 12, and each item is meant to mimic one from the code. I'll quickly go through some of the features. Combination roof types and heights. There's one pitched roof in the front of my house and the rest is a flat roof. Arched openings. There's no openings. Spanish-inspired chimney. Not original. Detached garage whose parapets were designed to mirror the main house. I don't have attached garage. It has a very simple parapet. Wing walls. Supposed to be decorative wing walls, which they're not. Projecting bays. It's supposed to be on the front of the house, which it's not. Recessed casement windows. I have none. Flat roofs with stepped parapets. No stepped parapets; everything's on one level. In the words of an historic preservation expert, who was, of course, not allowed to talk today because he wasn't at the original hearing, if you designate this house, you might as well designate every 1920s Mediterranean home built in Coral Gables and you're certainly not going to do that. What the report should have said was that although my home was built in 1922, the code does not place significance on a home merely because of its age. The home was designed by Lewis Brumm, who was not a prominent architect. There were no people of major historical significance associated with my home. It has a few design features similar to Mediterranean and cottage homes, but not enough to satisfy the criteria for historic designation. Therefore, this home is not historically significant. But not only does my home not meet the code requirements for designation, it's also undergone significant changes. When I met Warren Adams, he advised me to speak about these at the HPB hearing. I did my best to illustrate them. And Historic Preservation Board member John Fullerton voted against designating my home historic. Please look at the last page in your packet, where John Fullerton said, quote, "I'm looking at the Brumm and the Fink drawings of the house. That doesn't seem to have much relationship to what we see today. And in fact, the house today is a pretty poor example of what he left behind, let us think it was supposed to look like. And then I looked through all the photographs that we have, and there are three or four different iterations of what the house looked

like. There's this thing on this crown on top of the chimney and there's no chimney and there's nothing on top, and then there's a diamond-shaped thing. It's all over the place. I just don't know what we're designating except of an image of what has been added to and subtracted from for the last -- well at least since 1967, the last photograph I could see on here that had any architectural feeling to it at all," end quote. Now, I can't fault the other board members for not seeing what Mr. Fullerton saw because they only had an original sketch, which, as you will soon see, is pretty difficult to make out. I was only given two weeks to prepare for the HPB hearing, which, among other things, didn't give me enough time to properly demonstrate the changes. But with the time allotted today, you can now better see the changes to my home. Please turn your attention back to the screen. So, this is the original sketch from the house. As you can see, it's very difficult to make out, to understand what the house used to look like. From that, we have a little bit better sketch, just kind of filled in the lines. And from this sketch, we've created four renderings of what the house used to look like back in 1922. This is the front elevation in 1922, and as you can see, the next photo is the earliest photo from 1940. And the differences during that period that were made, somewhere between 1922 and 1940, there were two awnings added, a decorative feature on the parapet was removed. The front porch was added because the awning should be the length of the front porch. The decorative features were removed on the parapet as well. Then the next photo, sometime between 1940 and 1967, these changes were made. Paving and screened windows. Shutters removed, barrel tile removed, decorative garage door was removed. And then, sometime up until 1979, the basement window was replaced by jalousies. Sometime in 1979 to 2009, the chimney was altered. They put barrel tile or some type of tile on top and put them in a diamond-shape configuration. A planter was added in front. The window frame was changed. The S-tile roof was added. And then in 2023, the front porch was enclosed and new stairs in front. Here's a list of all the changes that were made in 1922, just on the front elevation. Here's the -- what elevation is this? -- west elevation. There are no historical photos. Photos (INAUDIBLE) where it cut the elevation in half. The windows were removed. The loggia was removed. The door was removed. Casement windows removed, all the shutters removed. Screen replaced by window, number 22 there. Vase and pedestal removed, and the porch added. Why is the porch

added? Oh, yeah, side porch added, and the door added. Here's the other elevation. The screened-in porch added. Here you have a -- sometime before 1982, they added that screened-in porch. The French door inside the screened-in porch was added. And then continuing on this elevation, we have pictures from 2023 now. All of the casement windows removed and replaced with jalousie. Shutters removed, decorative windows sill and hood removed. Screen replaced by windows. Barrel tiles removed.

City Clerk Urquia: Excuse me, sir.

Mr. Saliamonas: Yes.

City Clerk Urquia: Can you speak directly to the microphone, please?

Mr. Saliamonas: Sorry. Barrel tiles removed. Pyramid-shaped parapet removed. And the rear elevation, barrel tiles removed on top of there. Screen window removed. French doors removed. Porch enclosed. Decorative vents removed and windows added. And you know, here's what my intention is to build something that, as you walk by, you say that house was probably built in 1923. At least that's the intention. I want something similar to that. So, here's renderings of what I worked with through my architect. So, I mean, there's nothing remarkable about my house. It's just old. Secondly, based on the code, my home doesn't meet the criteria for historic designation. And thirdly, the character has completely changed from the original home. And what's now there has little resemblance to how it was originally built. The code doesn't assign historic designation simply because of age. But really, this is more than just about the code. It's about doing what's right for the community. Please put yourself in my shoes. I'm sure my story isn't unique. You know, when we bought our home -- when we bought our home, I was 29 years old, my wife, 28, and my daughter, Gabrielle, 1. It was the only one we could afford in Coral Gables. And it was great for a while. But so much has changed since then, the condition of our home, sustainability issues, and my family. And now that we've lived here for 25 years, we've developed wonderful

relationships with our neighbors. We're a community within a community. We help each other out, you know, in the many ways that neighbors do. We take care of each other's pets, you know, keep an eye out when someone's away, helping the kids, you name it. I'm there for when my neighbors need me, and they're there for when they -- you know, I need them. But why should we, or anyone for that matter, have to choose between dealing with the stress of an old home or leaving our community? For what? So that when someone walks by, they get to see an old house. Because I bought an old house, not historically designated, not in a historic district, my family's sentenced to forever live in that old, unsafe house? Requiring me to remodel my home is cost prohibitive and financially idiotic for myself and anyone else who would buy my property. This is not sensible preservation. Please, for my family and for the community, don't let this happen and uphold our appeal. Thank you very much.

Mayor Lago: Thank you, sir.

Mr. Saliamonas: Thank you.

Mayor Lago: Thank you very much.

Mr. Saliamonas: I think my...

Mayor Lago: Madam City Attorney?

Mr. Saliamonas: Attorney would like to say something.

City Attorney Suárez: Yes, Mayor. Pursuant to the procedural order -- well, I think the property owner's attorney has asked for a few minutes, so it's up to you, Mayor.

Mayor Lago: Yep.

Mr. Pathman: Thank you, Mr. Mayor. I'd just like to emphasize a couple things. The HPB is empowered to look at your community and decide what property should be historic and maintained. Clearly, as Mr. Saliamonas has demonstrated, this is not one of them. This is not a property that deserves historic designation. Most importantly, you should look at the report that Peter just went through and look at what they relied upon in making that report. One of the key elements is 1923, remember that year, because everything they say about a cottage home was 1923 and beyond. But this house, based upon archived records of the building permit, was built in 1922. The report fails to establish any competent and substantial evidence why this house should be declared historic. In addition to that, at the time that the report was read into the record, the woman who read the report into record appeared by videotape. Mr. Saliamonas did not have a chance to cross-examine that person in a quasi-judicial proceeding. So, therefore, the report itself should not even be allowed to be submitted for your consideration and should be devoid of any ruling on your behalf to determine that this house is historic because the report fails to establish, as Peter demonstrated, the criteria in which to consider the house historic. One last thing that I'd like to point out is that you're empowered to make these decisions. Peter is a 25-year resident and his family and his wife, Anne, of this City. This is not what should be done to someone who's a good citizen, who obviously has taken the time to make an excellent presentation, who's taken the time to look at his house, read the report, determine what's historic. He'd be all in favor of committing to making this house historic if in fact it was. As he says, it's an old house and that's it. And that's all you should consider. At the very least, because he was not given a chance to cross-examine the person who read the report into the record, it should be remanded back. But I ask you today not to remand it back. You should determine that the house is not historic based upon the information that was presented both at the hearing and what Mr. Saliamonas just did in walking you through the entire report. And again, I want to remind you, it is not a 1923 house. That is most important to remember, and they can't change that. The building card says 1922, so it doesn't meet any of the qualifications along with the other standards that Peter read concerning

architectural significance, significance by who owned it or lived there. None of that even matters. They didn't meet that criteria either, but what does matter is it was built in 1922. Thank you.

Mayor Lago: Thank you, sir.

Commissioner Castro: Thank you.

Mayor Lago: Madam Director. Good morning. Thank you for joining us.

Acting Historic Preservation Officer Kautz: Thank you. I have a throat thing, so I'm just going to leave this...

Mayor Lago: No worries.

Acting Historic Preservation Officer Kautz: If you guys don't mind.

Mayor Lago: No worries.

Acting Historic Preservation Officer Kautz: So, I am the acting historic preservation officer for the City of Coral Gables, Kara Kautz. If I can have our PowerPoint brought up, thank you. I would like -- okay, go back. So, I would like to bring up for the record that the renderings that were shown during the applicant's PowerPoint were not presented to the Board during their meeting at all. So, I wanted to talk to you a little bit about why this property is before you today. The current owners purchased the property located at 1221 Milan Avenue in 1998. In February of 2021, a code enforcement citation was issued for work without a permit that included construction of a side patio, lighting, and a front façade addition. In June 2021, the owners filed for an after-the-fact building permit to legalize the front porch enclosure and other work. The permit was reviewed and denied by all City reviewers. In June 27, 2022, the owners filed an application for a

historic significance determination in order to demolish the house. As you all know, per Section 8-107G of the Coral Gables Zoning Code, all demolition permits for non-designated buildings or structures must be approved by the historic preservation officer or designee. So, this requirement has been in our code for almost 20 years. It was put into the code in order to save properties that were considered significant but were not yet designated when they were eligible for demolition. October -- I'm sorry, August 1, 2022, the significance determination letter was issued stating that the property did meet the minimum eligibility criteria for designation as a local historic landmark. Staff's report for the designation of the property was presented to the Historic Preservation Board in September of 2022. At that time, the Board found the property met the designation criteria as outlined in the report and moved to designate the property. I would like to note that the Board reviews each designation on a case-by-case basis. It is not a comparative review. It is not "is this one better than that one." It is based solely on the evidence provided to them. We also provide a detailed report about the entire property in order to give context to both the property and the City and to give the full history of the property, not necessarily using all of the information to build the criteria, but we are obligated to give the owner the full history of the property. So, to refresh your memory, the single-family home was designed in Mediterranean Revival style in 1923 by architect Lewis Brumm, who was a key member of George Merrick's, the City founder, design team. It's a very early example of the Coral Gables Cottage prototype and was commissioned directly by George Merrick. It was permit number 402 in the City. So, these are two photos that you saw previously. One is from the 1940s and one is from 1967. As for Article 8, Section 8-103 of the Zoning Code, criteria for designation, a local historic landmark must have significant character, interest, or value as part of the historical, cultural, architectural aesthetic or architectural heritage of the city, state or nation. A property only needs to meet one of these criteria. The Historic Preservation Board designated the property based on the three criteria shown here and also delineated in the staff report. So, we know that the Board relied on the evidence presented to make their decision to designate, but I wanted to clear up on record a few of the statements made. As noted in the designation report, the home was constructed in 1923 and is a very early example of a Coral Gables Cottage, one of the first. The owner has stated that staff has made an error

concerning this date and I would like to clear that up for you. So, they rely heavily on the City's tax card, found in our microfilm. Those tax cards are used by staff. We pull them, we use them for every designation report that we write. And in our many years of doing this, we have found that they are all -- not always accurate, especially when the homes predate the -- when the construction of the homes predate the incorporation of the City, as this one did. So, yes, the tax card states 1922, but I will show you why it was built in 1923. So, the home was constructed in the Granada Section of the City, and as you can see from the 1922 map shown on the right-hand side of the screen, Merrick had not yet acquired the portion of the City denoted in purple, where the Granada Section would eventually be platted. In fall of 20 -- 1923, which you see on the left, Section F, which is highlighted in blue, was significantly expanded and renamed the Granada Section. You can see Milan Avenue denoted in red on the southern border of the Granada Section. In September of 1923, newspaper articles announced the start of construction in the Granada Section. Lots in this section were first offered for sale in November of 1923 to much fanfare. So, the home was constructed after the Granada Section had been platted, constructed, and sold. Additionally, Lewis Brumm didn't announce the opening of his architectural practice in Miami until March of 1923. And we also believe that the plans are dated December 24, 1923, as you see on the right. Why is it important to note that the home was constructed in 1923? That year, Merrick specifically commissioned three architects, including Lewis Brumm, to design 58 Mediterranean-inspired homes in this section of the City to demonstrate that the smaller, moderately-priced homes in Coral Gables would have the same quality of construction and aesthetic as the larger homes. Of these 58 homes commissioned by Merrick, eight are on Milan Avenue and this house is one of them. They were the first of what would be later classified as Coral Gables Cottages. So, during the Historic Preservation Board meeting, there was much emphasis given by the owner on the architectural description of Coral Gables Cottage as noted in the staff report. The quote in the report is not intended to delineate the features of this home in particular, but of the aesthetic qualities of the cottage in general and the fact that the early small houses were designed just as thoughtfully as the larger houses. As the Board discussed, a cottage designation is a separate process than a landmark designation. It has a different set of criteria.

Those are also found within the Zoning Code. So, while the house -- I'm sorry, so while those criteria identify a home as a cottage type, they are not the same criteria used to designate a property as a local historic landmark. Board Member Spain asked the cottage designation criteria be made part of the record. These are listed here, and you can see these features that we use to identify a cottage prototype home. And I'd like to go back and point that this ordinance was introduced in 1994 in order to identify and protect the smaller homes in certain parts of the area that were being demolished and redeveloped. The home is designed in the Mediterranean Revival style and retains its prominent and character defining features of the style to this day. Those features include, but are not limited to, those on the screen and listed in the report, and these are the features that make it a Med Revival house that the Board designated the architectural criteria upon. As you can see, over time -- this is the house over the last century -- visual assessment of the property along with review of the permit documents and historic photographs indicate that there are a few changes to the character-defining features of the home prior to the unpermitted alterations by the current owner. A very detailed discussion of those alterations is provided in your designation report that I'm assuming you've already read. So, alterations that occurred prior to 1998 are shown here and include the enclosing of the two screened porches that were sleeping porches or the sleeping porch on the rear and the screened porch on the front, installation of a nest tile roof and a roof porch added at the rear of the home in 1981. Those alterations are shown in blue and orange on the survey on the left. I would like to point out that some of the decorative features that the owner cited in this presentation as being removed were actually never constructed. Frequently, 1920s permit drawings do not accurately depict what was actually constructed. We know from comparison of early permit records, our collection of 1920s and 1940s photographs, and other City records that very often changes in design were made during construction on the fly and in the field. The parapet, for example, is not a character-defining feature that was relied on by the Board. They designated the property as it is today. The current owner purchased the property in 1998, and this slide illustrates some of the alterations undertaken since then. The alterations were done without permits and a code enforcement case is ongoing. Additional details are provided in the designation report, and I'm happy to elaborate on any of the alterations that you see on the screen. The areas

on the left and on the right that were added, enclosed, altered are shown in the photographs as well. If you need me to go through them, I'm happy to. Again, the Board did discuss the alterations and did not find that they outweigh the designation of the property. Current photographs of the property are included in the record in the designation report and the PowerPoint shown to the Board. I'm not going to include them here to walk you around the building. Again, I have them if you'd like to see them. This is a photo of the property as it is today. I just have a few more points to address, some of the discussion. At the meeting, the owner stated that there is nothing special about the owners of the property. As staff, we present the overall history of the property to the board. Ownership is in fact one of the designation criteria found in our Zoning Code, but here in this case, we did not employ that criterion when designating this home. Additionally, the owner spoke about the condition of the home. I would like to remind you that the condition of the property is not a criteria for approving or denying the designation of a property. The Board's only task is to determine whether or not the property meets the criteria as outlined in the Zoning Code. So, this single-family home at 1221 Milan Avenue was commissioned directly by City founder George Merrick in 1923. It is one of the earliest homes built in the City before the incorporation of the City, was built as an archetype upon which Coral Gables was founded, and while it has been altered, it's still clearly recognized as one of Merrick's early cottage type homes. We are here because the owner applied for a historic significance determination in order to demolish the home because a permit to legalize unpermitted work and rectified code violations was not and could not be obtained. It is our belief that we can work with the owner to help rectify this situation. The Historic Preservation Board, after discussion to clarify the issues of the home, voted to designate the home as presented in spite of the alterations based on the criteria found in the code, and we ask that you uphold their designation. Thank you very much.

Mayor Lago: Thank you, Ms. Kautz. Mr. Clerk, do we have any public comment?

City Clerk Urquia: Yes, sir, we do.

Mayor Lago: Let's proceed.

City Clerk Urquia: First speaker, Maria Cruz.

(COMMENTS MADE OFF THE RECORD)

City Clerk Urquia: We do have a speaker on Zoom. Mr. Mayor, I believe it is Ms. Karelia Carbonell.

Mayor Lago: Okay. Ms. Carbonell, welcome back to the City.

Karelia Carbonell: Hello?

Mayor Lago: Yes, ma'am.

Ms. Carbonell: Am I on?

Mayor Lago: Yes, ma'am, you are. The floor is yours.

Ms. Carbonell: Okay. Sorry, I had to leave. This is Karelia Martinez Carbonell, president of the Historic Preservation Association. And on behalf of our organization, we ask the City Commission to side with the Historic Preservation Board and affirm the decision of the Historic Preservation Board to convey landmark designation of the property at 1221 Milan Avenue, as recommended by the City's Preservation staff. The City of Coral Gables Preservation staff presented a well-documented report, as you just heard Ms. Kara go over detailing the home's historical significance. And when we say it was commissioned directly by George Merrick, that should give it a great weight because -- and the homeowner should be proud of that from 1923. It was voted by the Historic Preservation Board, which granted the designation landmark. So, with that, the home is

significant. It is an important home in the history of Coral Gables, and also not that it was part of the criteria, but their -- the home was the first home of Sergeant Cyril Guest, who we all understand he was a hero here in Coral Gables, first police officer that died during his duty on Christmas Day in 1925. So, please keep that in mind. The home does have some significance in that sense. So, thank you for the time...

Mayor Lago: Thank you.

Ms. Carbonell: To listen to this request.

Mayor Lago: Thank you. Mr. Clerk.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: Okay, perfect. Madam, will you come up? One second. I have a few questions for you, just a little bit of clarity. So, what are our options today? Hold, deny, and remand, correct?

Acting Historic Preservation Officer Kautz: Correct.

Mayor Lago: So, I have a few questions...

Acting Historic Preservation Officer Kautz: Sure.

Mayor Lago: And I'll go back to the project that I voted for designation, which the Historic Preservation Board said no, and that was the LaSalle Cleaners. I believed, and to this day I believe that that should have been designated. The Board itself disagreed with me. They're the other professionals. They said that that building had been altered in a fashion that could never be brought back to its original glory, which I disagree with because I've been involved in a few historic

preservation projects, some have actually even won awards in Miami Beach and in downtown, one of them being Boulevard Shoppes, another one being the fountain in Miami Beach, which was five years ago, was awarded -- actually an award for historic preservation. So, I'm not a historic preservation expert. I just was lucky enough to be able to do that work.

Acting Historic Preservation Officer Kautz: Okay.

Mayor Lago: You can always bring back a building to its original glory, it just takes money, and a lot of money at that. And I thought the LaSalle building was a critical building in our history, am I wrong?

Acting Historic Preservation Officer Kautz: No, I don't disagree with you.

Mayor Lago: And a critical building in our history that should have been saved. So, I think I was maybe one if not two votes, and we lost and the building was demolished, which is a shame. Explain to me, even though I understand now, which when I met with this gentleman, he did not share with me that he was the one that made some of the alterations in 2009, which is important, but that doesn't bear my decision today. The building is altered. It doesn't look anything in comparison to what it did when -- in 1923, when George Merrick had a hand in one form or another. Can you give me --? And I know I'm giving you a long-winded, but I'm just trying to get my hands around this. This house has been altered in a way...

Acting Historic Preservation Officer Kautz: Yes.

Mayor Lago: That is unrecognizable from its original intent. So, help me understand that. And I know I'm comparing it to LaSalle, which is a commercial building versus a residential building, and I want to understand why something applies to LaSalle and it doesn't apply to this building -- this structure, excuse me.

Acting Historic Preservation Officer Kautz: So, the Board evaluates every property on a case-by-case basis, as I mentioned.

Mayor Lago: I understand.

Acting Historic Preservation Officer Kautz: So, what happened with LaSalle, what happens with this house, what happens with the next house, there shouldn't be a comparison. So, I understand where your mind goes with that, but the reality is they should be considered differently. The Board, in this case specifically, upon reviewing the record, the importance of the home as an early cottage, its typology, the fact that it was commissioned directly by George Merrick, the fact that the owner did undertake the work, that was -- that's a -- that's a consideration. So, are you going to penalize an important home for work that was done to it without a permit that obliterated, in your mind, maybe, what made it significant?

Mayor Lago: And going back to LaSalle...

Acting Historic Preservation Officer Kautz: Yeah.

Mayor Lago: And correct me if I'm wrong because it's been some time, that structure was also altered without permits.

Acting Historic Preservation Officer Kautz: But they had -- no, they had permits for the...

Mayor Lago: They did?

Acting Historic Preservation Officer Kautz: Exterior work that was done to it.

Mayor Lago: I think it was some of the -- I think it was the interior work.

Acting Historic Preservation Officer Kautz: Yeah.

Mayor Lago: That's what I mean.

Acting Historic Preservation Officer Kautz: And the interior's not designated, so people can remodel, people can update.

Mayor Lago: Like I said, it was a long time ago.

Acting Historic Preservation Officer Kautz: Yeah, no those -- and we made -- we said how could someone have done that to that building, but it's true, they were permitted. So, I think -- you know, I can't speak for the Board, but in our view, the alterations are reversible in this case. That front porch can be removed, and that's a huge part of what you're seeing from the front façade. The garage access has been blocked by a patio. They've removed the garage door. That can't stay. Code has to have a covered parking space. So, that's all going to have to be removed regardless if it's historic or not.

Mayor Lago: Is that a CBS block structure building or...

Acting Historic Preservation Officer Kautz: Um-hmm.

Mayor Lago: Is that...

Acting Historic Preservation Officer Kautz: Yes.

Mayor Lago: Wire lath?

Acting Historic Preservation Officer Kautz: No, it's CBS.

Mayor Lago: The entire...?

Acting Historic Preservation Officer Kautz: And there's a concrete deck in front of it raised up three feet, so you can't get to that garage.

Mayor Lago: Is that on a slab, or is that on actually like a crawl space, some sort of crawl space?

Acting Historic Preservation Officer Kautz: The garage?

Mayor Lago: No, no, the entire structure of the building.

Acting Historic Preservation Officer Kautz: The garage is on -- is on slab.

Mayor Lago: Okay.

Acting Historic Preservation Officer Kautz: It's on grade. The deck is raised. So, there are things that have to happen to the home, even if it's not historic. He's going to have to undo a lot of what was already done.

Mayor Lago: No, I mean, and that's the case when most people do work illegally. They have to...

Acting Historic Preservation Officer Kautz: Yes. It has...

Mayor Lago: They have to bring it into compliance...

Acting Historic Preservation Officer Kautz: Correct.

Mayor Lago: In one form or another. So, I have two last questions before I swing it over to the Commission. So, again, Lewis Brumm, has any home ever been designated that Lewis Brumm had a hand in?

Acting Historic Preservation Officer Kautz: Yes.

Mayor Lago: Okay, how many homes would you say?

Acting Historic Preservation Officer Kautz: I don't know off the top of my head. But he was considered one of Merrick's design team with Fink, with Hampton, with Howry (phonetic), and Brumm were the four who were his core early design team.

Mayor Lago: And this gentleman also hangs his hat on the criteria, on the 19 points on the criteria. He says that he did not meet the 12. Can you give me a little bit of --? Can you go over that? Because I think it's important for the Commission to understand where maybe the Board says, no, you do. I need your expertise to tell us where he meets the criteria.

Acting Historic Preservation Officer Kautz: Give me one...

Mayor Lago: No problem. Take your time.

Acting Historic Preservation Officer Kautz: I want to remind you all that the cottage criteria is a separate section of the code. You can be designated as a historic landmark and also as a Coral Gables Cottage. You have to be a landmark to be designated as a cottage, but you do not have to be a cottage if you're a landmark, if that makes sense.

Mayor Lago: Yes, it does.

Acting Historic Preservation Officer Kautz: Okay. So, the cottage criteria that, excuse me, were displayed are a separate set of criteria used to identify a Coral Gables Cottage and make it a cottage designation. What the Board designated this property on was the fact it was a Mediterranean Revival style building based on its architecture, not as cottage types. However, that being said, this home is a representation of the cottage type. So, if you look at the list that was, again, put here.

Commissioner Castro: What page?

Acting Historic Preservation Officer Kautz: Towards the end...

Mayor Lago: This is on -- this is on page...

Acting Historic Preservation Officer Kautz: Like three back, four back from the end.

Mayor Lago: He put it on page 13. Yeah, page -- I meant page 11, excuse me, from the presentation provided by the...

Acting Historic Preservation Officer Kautz: So, these criteria are what we would use if someone came to us and said, "I'd really like to use the incentives outlined in the code," which we give people incentives being in cottage. "So, I want you to designate me, can you go through this checklist and see if I qualify, and what do we do." So, we look at the property, the intent of the property is how it is today and sometimes, depending on if it's minor, what it was like before. In this case, the property would meet the 12 of a cottage if they were coming in for cottage designation. Coral rock or stucco finish, combination roof type, front porch. The property had a front porch. It's now been enclosed with concrete block at the behest of the owner. Projecting

bay on the front elevation, which it does have, and it had even more significantly before the front was enclosed. Masonry arch on the front elevation? It has that. Decorative and or predominant chimney? It still retains that. Detached garage to the rear of the property? Yes, it has it. It's still there. Is it a garage? Can it be used as a garage right now? No, because the owner altered it. Similar decorative features, parapet and/or roof slope on the main house and attached garage? Yes, they both had a simple parapet. Decorative wing walls, varied height between projecting and recessed portions of the front elevation, (INAUDIBLE) as decorative accents, and a first floor above a crawlspace. So, it had these things. It even had more. It had a barrel tile roof.

Mayor Lago: I was going to say that.

Acting Historic Preservation Officer Kautz: It has an S-tile on it now. It should be a barrel tile roof. It had the casement windows originally; should have those again. If it were designated and they came in to change the windows, we would ask that those be put back. Again, these are not the criteria on which the Board designated the property. These are the criteria in which it was evaluated and identified as a Coral Gables Cottage type. Does that help? Okay.

Mayor Lago: No, that was incredibly helpful, and I think it helped the Commission. Does anybody have any comments they'd like to add or anything else for the record?

Commissioner Fernandez: I had one question for the City Attorney. One of the things that Mr. Pathman brought up was a request to remand because they did not get to cross-examine a witness. Could you elaborate on what took place or what the request was?

City Attorney Suárez: So, his request right here was to remand it back to the Historic Preservation Board, which is within your purview, if you all determine that there is something that can be done, you know, further proceedings that would be helpful or necessary. My understanding is that Ms. Guin, who -- there was a video presentation by Ms. Guin, who was not present in the room, but

she went through the report. But the Historic Preservation Officer at the time, Mr. Warren Adams, was present. He had been sworn in, and he was there and presented the video, as well as you, Ms. Kautz, if I'm not mistaken.

Acting Historic Preservation Officer Kautz: Yes, staff was present to answer any questions to be cross-examined if they had wished. The presentation that was played was a voiceover PowerPoint just to, you know, give them the report in a visual format.

Commissioner Menendez: I have a couple questions.

Mayor Lago: Go ahead, Commissioner. Thank you.

Commissioner Menendez: Thank you, Mayor. I watched the Historic Preservation Board meeting last night on video just to get a sense as to what was that. I have a question for City staff. George Merrick commissioned this and other properties. There's a reference to George Merrick commissioned these homes.

Acting Historic Preservation Officer Kautz: Correct.

Commissioner Menendez: How many homes did George Merrick commission over his time with the City?

Acting Historic Preservation Officer Kautz: I can't say. I...

Commissioner Menendez: Was it just for this period or was it for many, many (INAUDIBLE)? I think he was with the City until 1928 until things didn't go well.

Acting Historic Preservation Officer Kautz: Right, so as noted probably in the staff report, but certainly, throughout everything that we write, so the City boom basically occurred up until 1926. So, during the -- you know, before Coral Gables was incorporated in 1922, 23, up until 1926 was sort of the push for the Mediterranean Revival style of architecture in the City and George Merrick's, you know, hand in what was happening.

Commissioner Menendez: The reason I ask is my impression of the -- whatever history I know of that time, anything that was built would have been basically -- would have to receive George Merrick's blessing at that point in time, pretty much everything.

Acting Historic Preservation Officer Kautz: Well, no, it would have needed Phineas Paist, I mean, the -- as the supervising architect for the City, but there were specific properties that were specifically commissioned by George Merrick in order to achieve a specific goal. So, this happened, again, for example, on Obispo Avenue. He was very keenly interested in developing Obispo Avenue as a small collection of moderate homes and that -- almost entire street of Obispo was built out within the course of a year because he commissioned architects to design houses on that street. So, his focus was, yes, the overall city, but he specifically commissioned certain properties in certain areas to achieve specific goals of his that were important. I don't know the number that I can say he did this many, but they were very specifically placed if that helps.

Commissioner Menendez: So, this was -- he had his hand throughout the City in different areas.

Acting Historic Preservation Officer Kautz: Yes.

Commissioner Menendez: There was mention about significant people that lived at the house or were involved. And in the P&Z, I think one of the gentlemen was identified as not having lived there, but actually been the person who lent the money to -- was a lender.

Acting Historic Preservation Officer Kautz: Um-hmm.

Commissioner Menendez: Now, didn't live, but the impression was that the gentleman actually lived there, but he was the lender. And there was, I think, reference to someone at University of Miami...

Acting Historic Preservation Officer Kautz: Um-hmm.

Commissioner Menendez: Business school, director of the business school that perhaps lived there too.

Acting Historic Preservation Officer Kautz: Um-hmm.

Commissioner Menendez: My issue with the report after the rebuttal or after the presentation, the back and forth, is there are factual elements of the report that to this day, after listening to the Historic Preservation Board and listening to today's presentation, there are factual items here that I don't know which way -- I don't know what is factual and what isn't factual. I think even in the Historic Preservation Board, things that the property owner brought out and I know that you did a great job also of addressing, there's still not clarity as to what's the right answer. That's where I - I have -- I'm having a difficult time. And John Fullerton's statement at that meeting did stand out. It's interesting that it was mentioned today, but he brought out a lot of inconsistencies too. So, so many inconsistencies, at least from my perspective, and factual uncertainties, I think it makes it very difficult for any board to render an airtight decision when there's still so much doubt lingering in the air.

Acting Historic Preservation Officer Kautz: Not sure if I heard a question, but I would like to address the ownership and the report issues...

Commissioner Menendez: Of course, please.

Acting Historic Preservation Officer Kautz: That you feel -- so, the report, we try to give as robust of a history of a property as possible to the Board. Everything is well-researched. Everything contained in that report is fact. If we cannot verify it, we don't include it. So, when we give the Board ownership history or, you know, things that may seem tangential to the property and the question at hand, the Board -- for two reasons. So, the first is basically the reports are a gift to the owner so that they are -- you know, if people who want the designation, they really love that part of it. They want to know who lived there. They want to know what happened in their house. The second part of that is that the Historic Preservation Board does not have to follow the criteria that we give them. Of those -- that full list of all the different criteria, they can choose whichever ones they want. So, if they, for some reason or know more or bring something to the table, want to designate the property based on an ownership or based on an association with a specific individual as based on another criteria, they can do that. They can add it. They can also subtract. So, if they thought that it did not meet the three and it just met two or just met one, they can say, listen, your report's great, but we do not think you met these two, but we do think it meets the architectural, so we're going to designate it on that one only. So, we give them as much information as possible so that they can make a decision on how they want to proceed. And that's why we do it and it's - we have to.

Commissioner Menendez: No, I understand, but like I said, after listening to two presentations and just compliment the property owner of all the -- these types of hearings that I've had, the research that you did was amazing, but I know the City has its position as well. So, I honestly think that there are questions that have not been answered. So, my take -- my position right now, you know, when we go to -- everybody makes, you know, their comments, but I'm not comfortable with the information that's before us in terms of its accuracy or reliability because I think there's a lot that still needs to be cleared up.

Mayor Lago: Okay, Commissioner? Vice Mayor?

Vice Mayor Anderson: I do have a few questions, but first I want to ask the City Attorney whether in our capacity we can remand this matter back to the Board to specify what are the facts that they relied upon in determining the historic significance of this home. Because as I sit here now, I'm guessing, you know, was it the porch slash -- which really looks like a stoop to me? Is that a porch? Does it qualify as a porch in the original drawing? Which is very unclear to begin with. And aside from the newspaper articles, I mean, I know there's some historical references as to, you know, a building being commissioned, but after having studied Mediterranean Revival style, I'm very confused as to exactly what the features were on this home that qualified for Mediterranean Revival style, and it wasn't specified by the Board what they relied upon. And I found it enlightening the comment from the member who noted that it's -- Mr. Fullerton, that, you know, there -- this wasn't moving him on architectural significance. Those are my comments on this. Aside from the fact that it's unclear, is it reliable, is it competent? If it's not reliable, you know, how can I make that finding without even knowing what was the thought process through the Board as to the facts relied upon to reach the conclusion they reached.

City Attorney Suárez: Vice Mayor -- should I respond to the Vice Mayor's question?

Mayor Lago: Yeah, of course.

City Attorney Suárez: Yes. It would be within -- if you -- if the Commission's conclusion is that further proceedings are necessary, you can remand it back to further proceedings before the Historic Preservation Board. If you -- essentially, it'd be a conclusion that there isn't -- the record doesn't contain competent and substantial evidence to support the agency's decision -- I'm sorry, the Historic Preservation Board's decision, so you would be remanding it back for that, and you can give specific instructions as to the further proceedings that you think are necessary.

Vice Mayor Anderson: Thank you.

Mayor Lago: Commissioner, any comments?

Commissioner Castro: Yes. From the evidence and from the report, I see that there's significant difference in structure. And I don't know that -- I know because the property previously had it, I don't know that's sufficient as to the property as completely altered at this point. And I don't know either if it will be able to get back to the state of 1922 or 1923. My -- one of the questions I have is what happened to the carport? Because it -- I mean, it looks like a complete different house.

Mr. Saliamonas: May I?

Commissioner Castro: Yeah.

Mayor Lago: But hold on. Hold on one second. Before we -- could I have the director come up, please? The Commissioner asked a question about the work that was done without a permit.

Acting Historic Preservation Officer Kautz: Um-hmm.

Mayor Lago: The carport, the porch?

Acting Historic Preservation Officer Kautz: There was no carport. It was a garage.

Mayor Lago: Okay.

Acting Historic Preservation Officer Kautz: Is that okay?

Commissioner Castro: So, it was a garage. Is the garage still there? Is the structure still there?

Mayor Lago: Yes.

Commissioner Castro: Because from the pictures I really can't see. I see like there's a little barred porch or...

Mr. Saliamonas: There's -- right. So, I didn't take away the garage door. That was done before I arrived. What I did was I put on a side porch. And I also -- I didn't attach the garage to the house. That was done when the porch was made in around 1982 in the side. I didn't do that either.

Mayor Lago: But you did enclose the porch, correct?

Mr. Saliamonas: Right, the porch in the front of the house wasn't original. At some point it was constructed, and then I did -- and I'm happy to talk about it if you want -- but I did enclose something that was not original with the house, yes.

Commissioner Castro: So, whether it has a permit or not...

Mr. Saliamonas: Right.

Commissioner Castro: It's already been altered in a very significant way. The door was changed.

Mr. Saliamonas: Yeah.

Commissioner Castro: The structure's completely different. It doesn't resemble what was there before.

Mayor Lago: Madam Director, will you respond to the Commissioner in regards to -- the gentleman made a comment about the fact that the front porch was not original to the house.

Acting Historic Preservation Officer Kautz: So, again, there was a front porch shown in the original drawings of a certain size, you know, an uncovered porch. In the '40s photograph, you see the awning that's wider and the porch. We can't see the porch, but it's assumed that it's that wide and that's how it was up until it was enclosed with concrete.

Mayor Lago: Can we show a picture for the record?

Acting Historic Preservation Officer Kautz: Sure.

Mayor Lago: Please.

Acting Historic Preservation Officer Kautz: Can you pull up either...?

Mr. Saliamonas: You can look at my...

Commissioner Castro: But the struct -- the actual structure was actually altered because the door was removed because the door was on the side and now it's in the front, correct?

Acting Historic Preservation Officer Kautz: So, if you see...

Mayor Lago: But you...

Acting Historic Preservation Officer Kautz: So, this -- this area...

Mayor Lago: Commissioner, the door in the front...

Commissioner Castro: Um-hmm.

Mayor Lago: The door in the front that you see in the bottom picture is not original to the home. That was done without a permit.

Commissioner Castro: That's (INAUDIBLE).

Acting Historic Preservation Officer Kautz: This whole area was enclosed and roofed, which it was not previously without a permit.

Commissioner Castro: Right, that's exactly what I'm noting, but that's why I'm saying that it loses significance. Or does it not?

Acting Historic Preservation Officer Kautz: Okay, in our opinion, it was designated -- excuse me -- it was designated as it is today and the Board acknowledged that, that these alterations have been made.

Mayor Lago: Yeah.

Acting Historic Preservation Officer Kautz: There are -- there are things that will have to be undone in order to make this legal. So, as it stands now, there's a good possibility that that won't be staying that way if the house is designated or not. So, the Board felt that there was -- so sorry -- that there was enough material, historic material and fabric still left on this house to identify it as a Mediterranean Revival and a cottage. So, yes, they acknowledged the alterations but felt that it did not detract from the designation.

Mayor Lago: Commissioner?

Commissioner Fernandez: I have a follow-up on that. So, you're saying it was des -- it's being designated as it is today?

Acting Historic Preservation Officer Kautz: Correct.

Commissioner Fernandez: So, if it is designated as it is today, are we grandfathering in...

Acting Historic Preservation Officer Kautz: No.

Commissioner Fernandez: Those changes?

Acting Historic Preservation Officer Kautz: Absolutely not.

Commissioner Fernandez: So, we're designating it as it was at what point?

Acting Historic Preservation Officer Kautz: You're designating it as it looks today, right? So -- but you're not legalizing anything that they've done. The Board did not legalize anything that's already happened.

Mayor Lago: So, if I may, so I think we're -- and I didn't do it on purpose, but I brought up LaSalle -- I brought up LaSalle because it's always been like a thorn on my side because I wanted that designated and I lost. This is -- we're treading on some very thin ice here because people do work illegally without permits here in the City, and if we're not careful, you know, over -- over time, you start changing the look and the character of neighborhoods and of homes. Again, this home - - this home, whether you believe it's, you know, appropriate to be designated or not, that's not what I'm talking about. What I'm talking about is the amount of changes that were done to this home to make it look like today. I have to go based on the originality of the home, on whether

there's enough substance there to bring it back to its original glory. What do you have to do? You've got to knock down that door and bring it back to where it was before. You know, the Board would provide that guidance, correct?

Acting Historic Preservation Officer Kautz: Um-hmm, correct.

Mayor Lago: So...

Acting Historic Preservation Officer Kautz: And staff would -- can help do that as well. But...

Mayor Lago: And my final question, and maybe this is just for the consideration of the Commission with your guidance would be, this home, if it's brought to its original glory, could also have an addition added to it, correct?

Acting Historic Preservation Officer Kautz: Of course, of course.

Mayor Lago: That's happened in historic homes?

Acting Historic Preservation Officer Kautz: Absolutely. And as you'll see in the next case, the Board has allowed front porches, screened porches, to be enclosed with glass. I mean, there's they've allowed alterations, like I said, to properties. You know, I don't really want to put this out there, but by not designating this house -- and I don't like using this phrasing because it always comes from the wrong angle -- but it sort of sets a precedent where you are allowing someone to alter a house without permits and then coming in and saying, well, now you can't designate it because now it doesn't look like what it used to, and it's kind of rewarding bad behavior, and I do not want to be that adversarial person, but I mean, we, as staff, can help with the code violations and help bring the property back, but you know, I just hesitate that that's a loophole.

Mayor Lago: I think that we as a Commission need to take that into consideration. And if Commissioner Menendez wants to remand this back to the Board for further clarity, I don't have an issue with that, but I know where I stand on this decision. And we have three options: We can affirm, we can override, and we can remand. And that is the will of the Commission. And I need someone to take a position. If you have more questions, more discussion, let's do it. We'll have more. I just want to say that's where we're headed, so we're going to have to have that discussion now.

Commissioner Castro: Yeah. I agree 100 percent with what you're saying, and I think that would probably be a loophole to getting rid of a historical significant home. However, maybe we can approach this in a different manner and a different -- with a different conversation as, you know, the higher consequences of penalizing people that are actually messing with the structure of a home that could be significantly historical, right? Maybe we could address this a different -- a different way. Where I stand, a motion to remand to the Historic Preservation Board because of not enough evidence. I just don't feel 100 percent confident of what both parties -- I don't know exactly what the truth is as Commissioner Menendez is saying.

Mr. Pathman: Mr. Mayor, I had requested a little bit -- a couple minutes for rebuttal. May I do that?

Mayor Lago: Perfectly fine. I just want to make sure that my colleagues are done. They have nothing else further to say.

Commissioner Menendez: Just one question for the City Attorney. Simple question. Because I was trying to research it. So, for clarity, designating a property historically, you know, significant, is it based on -- I know we're basing it on today's structure, but based on today's structure because once it looked like it did in 1922-23, it's -- again, it's a little confusing.

Commissioner Castro: Very (INAUDIBLE).

City Attorney Suárez: The determination is whether it satisfies one of the criteria. It just needs to meet one of those criteria. That is what you are reviewing. That's the standard and the law that you are to apply whether it satisfies one of those criteria. Once designated, as Ms. Kautz said, it would go through -- and they want to make changes to it, it would go through a process for a certificate of appropriateness for any changes and alterations.

Commissioner Menendez: Okay. Thank you.

Mayor Lago: Okay. Sir?

Mr. Pathman: Thank you. I would like to point out a few things that I think have been somewhat of a misdirection here today. First of all, this is not a de novo hearing. This is an appeal, so you must look at the record and what does the record reflect, what is the competent substantial evidence. Please remember those three words. What competent substantial evidence did the experts from your HPB Board demonstrate at the time of the hearing? One thing, the report. Mr. Saliamonas went through that report and showed you all the things that are wrong with it. What you just heard from your expert again was not things that were on the report. The demolition and all those things, design, the way it currently is, are not in that report. What's in that report is what should the house have looked like, okay, if it was a cottage built after 1923. We showed you a building permit that says 1922. That's the only thing and that's the only competent substantial evidence that you heard today or that's on the record that shows when the house was built. Everything else you heard was hearsay.

Mayor Lago: Excuse me one second. Would you mind please coming up? This gentleman made a comment, and I'd like for you to clarify, provide a little -- give us some further color in regards to the City's position.

Acting Historic Preservation Officer Kautz: So...

Mayor Lago: The permit.

Acting Historic Preservation Officer Kautz: That -- again -- I can show it to you. It's in my other file. What he's referring to is a tax card...

Mayor Lago: Yeah.

Acting Historic Preservation Officer Kautz: That exists for every single property in the City. It has a basic diagram that allowed the City to apply taxes to every property. In -- on that card, it says the date, it says the year it was built, it says -- sorry, permit number, year it was built, square footage. That tax card says 1922. When the City was incorporated in 1925, it went back and assigned permit numbers to every property that was built in '21, '22, '23, '24. So, it went back and then started taxing. So, when that happened, those numbers, that date '22, isn't always accurate. We find that time and time again. So, we rely on other evidence and other factual information that we find in order to identify the year it was built, that's the tax card. And so, that's the only thing that has a date of 1922 on it. They're frequently wrong.

Mayor Lago: Yeah, okay, thank you for that. Go ahead, sir.

Commissioner Menendez: (INAUDIBLE), I'm sorry.

Mr. Pathman: Again...

Commissioner Menendez: You mentioned at the Historic Preservation Board meeting that there are, I think, mentioned to eight properties, but there were eleven. Like there were three properties

outside of the grouping that the City referred to. You made reference that the numbers didn't match in terms of number of homes.

Mr. Saliamonas: If I correctly remember right, they said that there were eight homes on Milan that were part of the cottage homes, but in fact there were 11 during that time period, so it's not -- doesn't mean that my home was one of them. But also, you know, the -- during that hearing, Ms. Kautz said when she was asked about the tax card -- it's in the transcript, but I don't think we have this copy with you. She said it may be right, it may not be right. So, it may be right because there are homes built in 1922 in Coral Gables, and there were homes built on Milan prior to the Granada Section sale. That's the only way that it could be also right. But at the end of the day, the evidence we have is -- right? -- is the tax card, and there's no other evidence to state that it was built in 1923. Did you want to add to it?

Mr. Pathman: I think that I'd like to clarify something just procedurally. Competent substantial evidence is the standard. You can check with your City Attorney. What is the competent substantial evidence that was presented at the time of the hearing? It's the report. That was the best that they have. It's still the best they have. Everything they've said today is hearsay. But in that report -- in the hearing itself, there was proof that, in 1922, something was done with that lot, which therefore you have to look at because it's competent substantial evidence is the best evidence, not 1923, not things after 1923, not hearsay after 1923. And again, this is not a de novo hearing. You must take the facts as they are presented on the appellate record, okay? And that's what I'm trying to clarify here. With regards to other questions, there's nothing in the record in that report that meets your requirements in your code to designate the house historic regardless of what was done without a permit. Nothing. You shouldn't be considering that. You shouldn't be listening to that today. That is not what is the essence of historic preservation is or how you find the house. You go back, which is what the report did. They didn't include it in their report when they went before the Board. Why? It's irrelevant. It's irrelevant just as it is today, it was then. What you should consider is the competent substantial evidence. The only issue -- and I would

prefer that you reach a decision today finding that the house is not historic, the Board has not met their burden. They don't meet the burden under the requirements of your own code as demonstrated by Mr. Saliamonas when he put on his presentation. And as you noted, Commissioner, he put a lot of time and effort, not because he's trying to win something that he doesn't have. He wants to do something with his home. He didn't buy a historic home. He didn't buy it in a historic district. He's very passionate about it. And you know, usually, I'm the guy doing all the talking, and I get paid by how much I say. So, I didn't get paid very much today because he said everything, right? But the point is that the other issue at the hearing itself, we'd be in a better position today -- and it shouldn't be remanded for this position, but if you're going to rule against us, then remand it -- is that the presentation that was made was the report. The person who made that presentation on the video -- and Commissioner, you said you watched it. I assume many of you have as well -- we didn't get to cross-examine. They can't rehabilitate by other witnesses. We have the right to cross-examine that person, okay? Have you ever gone to a trial or been a part of a trial where you can't cross-examine someone? They say, "Oh, we're going to have this other person testify." No, that's not how it works. We -- under a quasi-judicial rules, we should have had an opportunity to cross-examine and had we done that, we would have cleared up all this stuff today that we're now presenting and why it was done incorrectly. But you shouldn't reward the Board to act incorrectly and take up more time of Mr. Saliamonas and his home, his family, his wife. He's obviously had a lot of stress from this. You should make a decision in his favor today because the evidence, the competent substantial evidence before you is in his favor, not in the Board's favor. They failed to meet their burden.

Mayor Lago: Thank you very much.

Mr. Pathman: Thank you.

Mayor Lago: Thank you. Is there any other further comment from the Commission? If not, I'll entertain...

Mr. Pathman: One of the things -- I'm sorry to interrupt. There are a number of other people that were here that wished to speak. You took one person on the record. I don't know if you want to take any more or not, but they came and they're your citizens. I don't know if you want to have them speak or not.

Mayor Lago: How many people would like to speak? Did they sign up to speak?

Mr. Pathman: I don't know if they did or not, Your Honor.

Commissioner Menendez: But it's...

Mr. Pathman: I mean...

Commissioner Menendez: At this point, it's not on the record. It's -- right?

City Attorney Suárez: It's not considered sworn -- it's not considered testimony, but we did allow public comment, but it's not testimony that's to be considered.

Mayor Lago: So, how many individuals do you have?

Mr. Saliamonas: One, two, three, I don't know, four maybe...

Mayor Lago: So...

Mr. Saliamonas: Five?

(COMMENTS MADE OFF THE RECORD)

City Commission Meeting
May 23, 2023

Agenda Item F-1 - Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on September 21, 2022, to designate the property located at 1221 Milan Avenue, legally described as Lot 9, Block 39, Coral Gables Granada Section Revised, according to the Plat thereof, as recorded in Plat Book 8, at Page 113 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

Mayor Lago: Let's do this. Please sit down. Have those individuals stand up. They can fill the document out here with the Clerk. Please stand up. I need to have -- individuals who are going to speak, you need to come, fill out the document here with the Clerk, and then let us -- and then if you'd like so -- because we have -- we have a time certain at 11:30. I'd like to come to see who would be -- sir, would you like to speak first? Would you like to speak first? And you can fill that out after. Would you like to speak first? Anybody like to speak first?

(COMMENTS MADE OFF THE RECORD)

Mayor Lago: Sir, how are you? How you doing? Please, state...

Commissioner Castro: How much -- how many minutes?

Mayor Lago: Two minutes. You have your -- state your name and your address, please.

Ernesto Perez: Ernesto Perez, 1216 Milan. I am Mr. Saliamonas' front door neighbor. As a point -- my opinion, I just say -- the only thing historic in my opinion that's happened across the street from my house is that Peter and his wife Anne have raised an incredible family. And I think, quite frankly, when it comes to this, we're on pretty much shaky ground as a couple of you guys have said. Because the point here, eventually everything gets old. When you guys are gone, when we're gone, is the entire City of Coral Gables and every home built for some reason or the other going to be historic? And again, changes have been made over the years all over town. I think all of us have lived here pretty much. I've lived here almost at this point in time, practically all my life at this point in time. And again, I think again that a person, a family, sometimes their home is their greatest asset and to be tied down with a historic designation simply because somebody arbitrarily, quite frankly, because the person representing the Board actually said, well, you can't take these documents that are of record -- for example, the 1922 thing -- you can't take that and

you can't take some of the plans because some of the things weren't built out, some of the things didn't happen. And then by the same token, ask you to accept certain documents that they have. So, you either have one or the other. Either you're, you know, either you're a cat or you're a dog. So, with that being the case, I just see no reason why they should be placed under this burden when all they want to do, all they've done in this town since I've known them, we've been front neighbors for about 30 -- 20 some odd years. So, when you look at that, all this family's done is work hard. And when we realize that homeownership is one of America's greatest values that a family holds that they pass down either from generation to generation, I think this quite frankly is impeding on Mr. Saliamonas' right to do as he deter -- as is every American's right, you know. So, that's all I got to say about that. Thank you very much.

Commissioner Castro: Thank you.

Mayor Lago: Thank you, sir. Mr. Clerk.

City Clerk Urquia: Eduardo Benedetti.

Eduardo Benedetti: Eduardo Benedetti, resident of 1225 Milan Avenue. I've known Peter now for 20 years, 15 years. Basically, what they said before, I don't think -- I mean, one of the things that don't -- have not been taken into consideration here are the rights of the owner. They're being imposed something that they don't want to. It's simple. I mean, I don't want my house to be a historic preservation classification. That's my decision. I mean, if you're talking about setting precedents, that is a precedent. You're forcing somebody to do something against -- who's the owner of our property? It's not the City. It's the man who pays the taxes and pays the salaries of the City. And -- so...

Mayor Lago: Thank you, sir.

Mr. Benedetti: No problem.

Mayor Lago: Mr. Clerk?

City Clerk Urquia: Bruce Bernstein.

Bruce Bernstein: I'll keep this short. The important thing for me is that he is able to do something that fits in with the character and the style of the neighborhood in a cost-effective way. What's there now is less important than what could be there, and you certainly have control of that. Designating this property as historical only makes it more difficult and costly for him to do that. It's an old structure, and old doesn't necessarily equate to historical. I've lived in the neighborhood for close to 50 years. In his particular case, like I said, old doesn't equate to historical. The truth is his house looks nothing like the structure I remember seeing 40 years ago when he moved in. And even then, it was -- there was nothing historical about it. It wasn't particularly historical 40 years ago. It's not particularly historical today. A neighborhood -- and this is to me the most important -- a neighborhood is about neighbors as well as buildings and structures. And Pete has been a great neighbor, and I'd like to have him as a neighbor in the future and be able to stay.

Mayor Lago: Thank you, sir. Mr. Clerk.

City Clerk Urquia: Arturo Fanjul.

Arturo Fanjul: Good morning. Arturo Fanjul. I'm a resident and architect here in Coral Gables and a friend of Peter, and also assisted him with the initial process of trying to rectify the code violations that he found himself in. Basically, I'm here mainly as a resident and as a friend. I reside at 902 Pizarro Street. I grew up on 921 Malaga since 1976 and have been a long-time resident of Coral Gables. I've worked with the Historic Preservation Department before on several other homes, and the staff is great. The reports that they provide are thorough, and as she said,

they should be a gift. And they are, in many a sense. But in this case, we were trying to actually secure a demolition permit, and it came back to haunt us in a very, very grand way. He did not ever imagine that he owned a historic home. We went through the process. You all know it's already difficult enough to get a permit in this town, and this just elongated the process tremendously to the point that when we couldn't figure out the violations, the idea of removing the house and starting over and creating a home that he could pass on for generations is what came to fruition. And then in that process is when we found out the house was historic. So, this has been a very long process for him and his first family, extreme stress. And as an owner in Coral Gables, I don't want my home to be designated and set with another encumbrance when it wasn't of my free volition. She mentioned earlier that many people come to Historic Preservation in order to designate the property so that they can get the incentives, you know. And I really believe that that's what the Preservation Department should be for. And you guys, as the Commissioners, are elected to make sure that the City is servicing its residents. And in this case, it's impeding. It's impeding what this resident wants to do with his property. I think it's great that they provided the information and then let them acknowledge that. And at the same time, I get it, but it's not what I want. So, please let me move forward with my -- with the private property. Thank you.

Mayor Lago: Thank you very much. Mr. Clerk.

City Clerk Urquia: Catalina Perez.

Mayor Lago: Good morning.

Catalina Perez: Morning. I am also a resident. I own a 1925 old Spanish. I think when anybody buys a home that's almost 100 years old or over 100 years old, it is -- it's a certain person who buys those houses. They're respecting history. They're loving this neighborhood that has that historic blood and has given it importance. And that's a gem within the whole entire City of Miami. I know Peter and Anne. They -- it's true what Peter said, he's -- he does believe in

community and neighbors. They've even babysat my house when I've traveled. And I feel like rules and regulations are extremely important. That keeps our City Beautiful, beautiful. But we need to consider the homeowner and consider what the plans are of the homeowner. What they would like to do is not a boxy modern home, which I have seen go up in my own neighborhood. I live on Toledo in a Fink house, and I was actually shocked that the City permitted that and saddened by it because it does deteriorate from what we're here for today. However -- and the house that was there before was not from -- it was old as well. So, I agree with you, the LaSalle situation, things -- rules are rules, but I also feel like homeowners need to be heard and to see what it is that they want to build. They want to build a Mediterranean-style home. And I know that even non-residential buildings get maybe a little bit extra help with taxes, whatever, if they are built in a Mediterranean style. So, we're going along with this. Well, not we, they are going along with this. That's something that needs to be respected. They're not asking to demo an old home, not a historic home, an old home in order to put up another one of these boxy homes. They want to keep the Mediterranean style, and I think that that needs to be heard. They are the homeowners, and they want to keep this going. Like Peter said, he wants people to go by his house and say, what a pretty 1920s Mediterranean home.

Mayor Lago: Thank you very much.

Ms. Perez: Let's -- they are the homeowners. They should be respected at least and have that opportunity to present that.

Mayor Lago: Thank you.

Ms. Perez: Thank you so much.

Mayor Lago: Thank you.

City Clerk Urquia: Doris Youmans.

Doris Youmans: First of all, I want to tell you thank you very much for keeping our City beautiful. I am the owner of 1410 Milan, and I drive by this house every day. And I invite you to drive through this -- around this neighborhood every day. And that house does not look like it's historic. The only thing historic is maybe that I just learned it was built in 1920s. The only thing that is really -- that has a characteristic to our City Beautiful is the Saliamonas. They contribute to our community. He volunteered throughout the Coral Gables Youth Center, and you know, just the fact that he really belongs to Coral Gables. He is part of the characteristic of living in Coral Gables. He's an -- he's -- contributes to our community. And the last thing I want to say, because I'm sure everybody's tired of hearing about this, but it's an added value that he's -- whatever he's going to do to this house. Because right now, like I said, please drive by and the pictures I've seen, there's no -- there's no doubt in my mind that this is going to be an added value to the community and the neighborhood. Thank you.

Mayor Lago: Thank you very much.

City Clerk Urquia: Maria Cruz.

Maria Cruz: Maria Cruz, 1447 Miller Road. I had not planned to speak, but I'm getting a little frustrated. If we follow the arguments that we've heard from the public, no house will ever be historical in this city because the owner buys a house that's old and decides that it's too old, so I shouldn't have to fix it. And -- but in this case, he did fix it. He did make changes. He was planning to stay there, I guess, because look at how much money he spent, except that he didn't pull a permit. Okay, so his intention was not to demolish it from the beginning. Okay, he's lived there a number of years, and all of a sudden, he's decided that, you know what? That land is valuable now. It wasn't then, but now I can make a larger house there. Okay, I'm sorry. This city, anybody who moves here knows that we cherish history. And if you move into a house that

is that old, there is the possibility that it could be historical, and they need to have considered that. And I'm telling you, you're going on a very dangerous slope because every person who buys an old house in this city can come and tell you, "I'm the owner. I can do whatever I want because it's mine. And forget history, I don't have to honor history." That is wrong.

Mayor Lago: Mr. Clerk.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: Can we close the public comment?

City Clerk Urquia: Yes, sir.

Mayor Lago: Thank you. What is the will of the Commission? I need a motion. Just to -- just to reconfirm...

Commissioner Menendez: I want to clarify just, you know, after doing a few of these, you know, protecting, respecting, but protecting the process is vital. I also think I've learned that these decisions have to be made based on the facts on the record from a legal and a technical perspective. There are a lot of amazing stories out there, subjective stories, but if I'm not mistaken, Madam City Attorney, we're really looking at the numbers, the facts. And even though we are moved for the right reasons on the subjective stories related to the issue, we have to look at it from a legal technical perspective.

City Attorney Suárez: Correct. Your review today is based on the record before the Historic Preservation Board, whether there was competent substantial evidence to support their decision and their decision that this property satisfied one of the criteria for historical designation.

Mayor Lago: So, moving forward, like I was mentioning, we have three options: We can affirm, we can override, or we can remand. I need a motion from the Commission.

Vice Mayor Anderson: Want me to make a motion?

Commissioner Menendez: Go ahead.

Vice Mayor Anderson: I'm going to make a motion to remand. I noted that there was lack of clarity as to what the factual basis was for the Board's decision. It -- right now, I feel like it's conjecture on my part to determine what the architectural features were that the Board found were significant. And I'm going to specify that it would have to be based upon its restored condition as opposed to the matter where you take it as it is right now because, otherwise, it would be condoning the code violations that occurred there and building without a permit. That's my motion.

City Attorney Suárez: Can I --? Just to clarify, so if you would remand, it's -- I don't think we've had a, you know, a case that's been remanded in the seven years I've been with the City, so I just want to make sure we're all clear here. If you remand, the Historic Preservation Board would consider the designation of this property. I understand there'd be specific instructions -- and I just want to confirm your motion -- specific instructions for the Board to specify the competent substantial evidence for its findings and for its -- and what it's basing its determination on.

Vice Mayor Anderson: Right. And if they're dealing with addressing the architectural features, specify for us what are those features that they would find...

City Attorney Suárez: Understood.

Vice Mayor Anderson: As if it was restored, not with the code violations.

City Attorney Suárez: So, I do not think that's the standard though. So, we can't change the standard in the Zoning Code. It would just have to be whether it meets one of the standards in the Zoning Code.

Commissioner Castro: Currently.

City Attorney Suárez: Correct.

Commissioner Castro: If it meets it currently.

City Attorney Suárez: Correct.

Commissioner Castro: As it is.

City Attorney Suárez: Correct.

Commissioner Menendez: And it will be point by point, the list that they have.

Commissioner Castro: Um-hmm.

Commissioner Menendez: I'd like -- I'd like to know -- go one by one. Because when I heard it, it seemed like, yeah, the City presented it, we're approving, you know, what's there, but I would like them to go one by one for them to show -- let us know why their -- they think that those points are the valid ones.

City Attorney Suárez: We can...

Mayor Lago: Okay, so -- wait, wait, wait, wait. Again, second time I mentioned in the meeting, I don't want to be the bad guy. We're implementing new rules, same rules that are being used in every other city in Miami-Dade County, City of Miami and Miami-Dade County. Everything goes through the Chair. So...

Vice Mayor Anderson: Hey, Chair, you're always the bad guy so...

Mayor Lago: Let's do this, okay. Everybody can speak, but let's do this the right way. Robert's Rules. Who also would like to speak?

Commissioner Menendez: Through the Chair.

Mayor Lago: Yes.

Commissioner Menendez: What I said a moment ago.

Mayor Lago: Perfect.

Commissioner Menendez: That.

Mayor Lago: Okay, so that's your motion.

Commissioner Fernandez: No, she moved it.

Commissioner Menendez: I'm -- I'm clarifying her motion.

Mayor Lago: So, motion. That's your second.

Commissioner Menendez: I'm seconding her motion.

Mayor Lago: All right, perfect.

Commissioner Menendez: Yes, Mayor.

City Attorney Suárez: Sorry, one further point. So, I just want to -- so everybody's clear, my understanding of the motion is that you're remanding it back and the Historic Preservation Board can determine that it is significant -- historically significant and it can determine that it's not historically significant. And you want the basis for its decision to be specified.

Vice Mayor Anderson: Correct.

City Attorney Suárez: Understood.

Mayor Lago: All right. We have a motion and a second. Mr. Clerk.

Vice Mayor Anderson: Yes.

Commissioner Castro: Yes.

Commissioner Fernandez: Yes.

Commissioner Menendez: Yes.

Mayor Lago: No.

(Vote: 4-1)