



City of Coral Gables Planning and Zoning Staff Report

Applicant: Javier Salman
Application: Variance – VARI-26-03-0030
Property: 8800 Old Cutler Road
Legal Description: BEG ON W/L ING HWY 319.91FTSW OF X OF W/L ING HWY & N/L NE1/4 W 215.47FT N60FT E45FT N225FT E TO POB
Present Owners: Lasse Moe Trs – William Zelaya (Trustee)
Present Use: Single-Family Residential
Zoning District: Single-Family Residential (SFR)
Public Hearing: Board of Adjustment
Date & Time: Monday, April 13, 2026; 9:00 a.m.
Location: First Floor Conference Room
Development Services Department
427 Biltmore Way, Coral Gables, Florida, 33134

1. APPLICATION REQUEST

Request for variances for the property located at 8800 Old Cutler Road pursuant to the provisions of Ordinance No. 2021-07 as amended and known as the “Zoning Code.”

- Variance to allow a freestanding carport canopy to have reduced interior side setbacks of nine-feet and four- inches (9'-4”) from both the north and south side where 20 feet is required on both sides, per Site Specifics Section A-56.H.2 of the Coral Gables Zoning Code.*
- Variance to allow a chain link fence within the yard area which abuts the streets along SW 88th Street (North Kendall Drive) and Old Cutler Road, per Section 5-402.B.1(f) of the Coral Gables Zoning Code.*

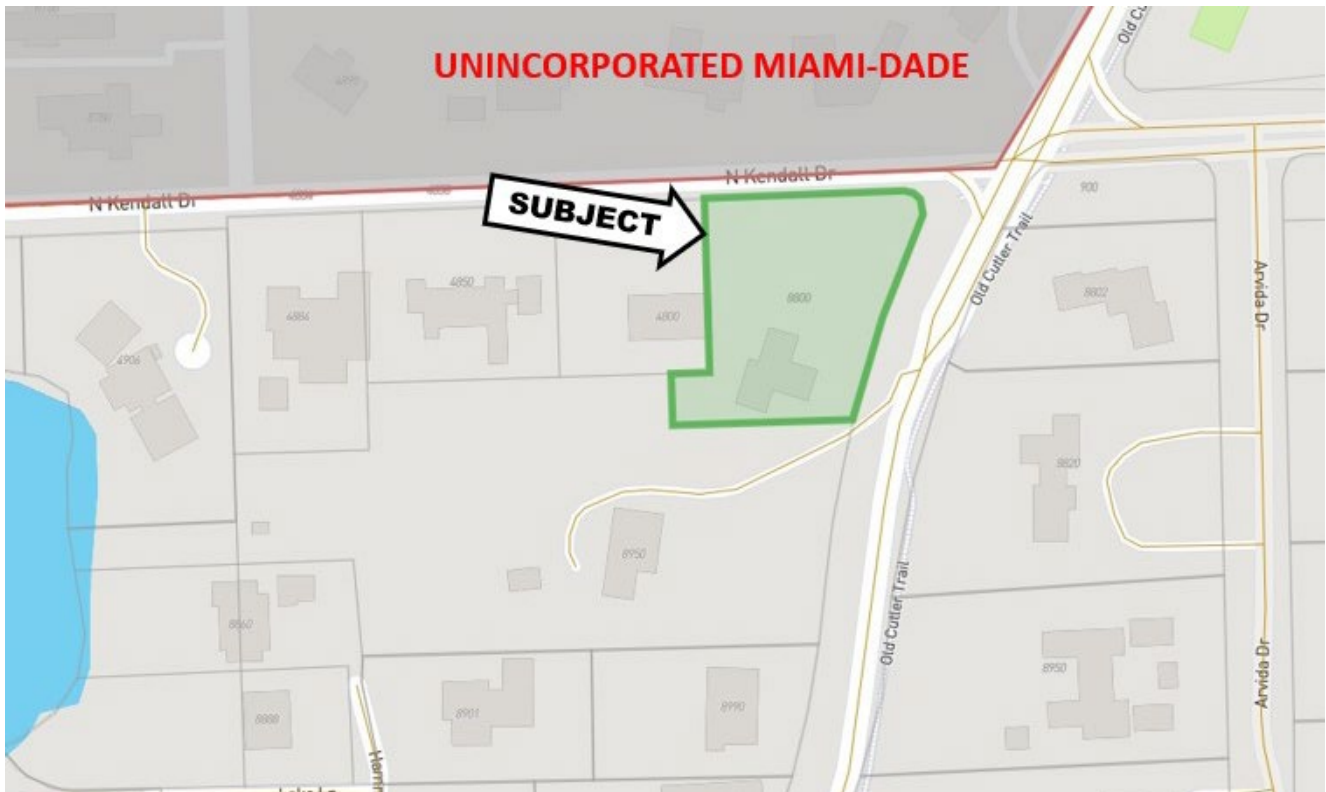
2. ADVERTISING

This application was advertised in the Miami Dade County Legal Ads and Public Notices on April 3, 2026. Notification letters were mailed to properties within one thousand feet of the subject property on March 31, 2026, and the property was posted on April 3, 2026.

3. STAFF OBSERVATION

The subject property located at 8800 Old Cutler Road is approximately 1.5 acres and is situated on the southwest corner of SW 88th Street (North Kendall Drive) and Old Cutler Road. It is within the Hammock Lakes subdivision, which was annexed into the city in 1996. Following the annexation, the city adopted site specific regulations for the Hammock Lakes annexation area. Currently, the site contains a one-story single-family house of approximately 4,000 square feet, built in 1958 based on Miami-Dade Property Appraiser.

The property owner is requesting variance to allow a freestanding carport canopy to have reduced interior side setbacks, and to allow a chain link fence within the yard area which abuts the streets along SW 88th Street (North Kendall Drive) and Old Cutler Road. Both were already installed without an issued permit.



This request requires a public hearing, including review and approval by the Board of Adjustment. The Board provides relief from hardships and errors in the application of the regulations.

4. STAFF RECOMMENDATION

Pursuant to Section 14-207 Standards for Variances of the “Zoning Code,” the Zoning Division staff finds as follows in regard to the applicant’s proposal as presented in their application for a variance from the provision of Ordinance No. 2021-07, as amended and known as the “Zoning Code,” and makes the following findings:

- 1) **That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.**

Does meet the standard required for authorization of variance.

The property is located within the Hammock Lakes subdivision, which was annexed into the City in 1996. The lot is unplatted and irregular in shape, comprising approximately 1.5 acres. The freestanding canopy is situated on the irregular portion of the lot that narrowly protrudes southwest beyond the west property line. A four-foot (4’) coral rock wall borders the property along both street frontages, SW 88th Street (North Kendall Drive) and Old Cutler Road. The chain link fence is installed inside the property line with a hedge, behind the existing coral rock wall.

- 2) **That the special conditions and circumstances do not result from the actions of the applicant.**

Does meet the standard required for authorization of variance.

The subject site is unplatted and irregular in shape with a coral rock wall that borders the property on both street frontages. Staff find these conditions peculiar to the subject property and not generally applicable to other lots within the same zoning district.

- 3) **That granting the variances requested will not confer on the applicant a special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.**

Does meet the standard required for authorization of variance.

A freestanding canopy and chain link fences are customarily associated accessory use for single-family homes and are common features found in adjacent properties throughout the neighborhood.

- 4) **The literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations and would work unnecessary and undue hardship on the applicant (see also definition of “necessary hardship”).**

Does meet the standard required for authorization of variance.

Due to its irregular shape, literal interpretation of the provisions to the subject site would deprive the Applicant of rights enjoyed by other properties in the area with identical zone classification.

- 5) **That the variance granted is the minimum variance that will make possible the reasonable use of land, building or structure.**

Does meet the standard required for authorization of variance.

The freestanding carport canopy provides side setbacks of 9'-4" from both sides. The fence, although chain link, is located behind the coral rock wall with landscape hedge that hides it from street view.

- 6) **That granting the variance will not change the use to one that is not permitted in the zoning district or different from other land in the same district.**

Does meet the standard required for authorization of variance.

Granting the variances requested will not change the use of the property which will remain a single-family home, permitted in the zoning district.

- 7) **That the granting of the variance will be in harmony with the general intent and purpose of these regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

Does meet the standard required for authorization of variance.

Granting the variances request will allow the property owner to enjoy the same amenity commonly enjoyed by property owners in the same zoning district. Therefore, variances requested will not be detrimental to the public welfare.

- 8) **The granting of the variance is appropriate for the continued preservation of an historic landmark or historic landmark district.**

Not applicable.

The property is not a historic landmark or in a historic landmark district.

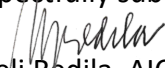
The Planning and Zoning Division staff recommend **APPROVAL** on the requests.

5. ATTACHMENTS

- A. Applicant's submittal package.
- B. Zoning Code Site Specifics Section A-56 Hammock Lakes
- C. Property Appraiser Summary Report.
- D. Legal advertisement published and notice mailed to all property owners within 1,000 feet.

Please visit the City website at www.coralgables.com to view all application materials. The complete application also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,


Arceli Redila, AICP, LEED AP
Zoning Administrator
City of Coral Gables, Florida