

CITY OF CORAL GABLES
HISTORIC PRESERVATION BOARD MEETING

VOLUME II OF II

Including:

Case File COA (SP) 2021-021, 1224 Country Club Prado
Case File COA (SP) 2017-025, 4200 Granada Boulevard
Case File COA (SP) 2015-015, 6801 Granada Boulevard

405 Biltmore Way,
Coral Gables, Florida,
Wednesday, 4:03 p.m.,
November 17, 2021.

PARTICIPANTS:

Albert Menendez, Chairperson
Michael Maxwell, Board Member
Bruce Ehrenhaft, Board Member
Alicia Bache-Wiig, Board Member
Dona Spain, Board Member
Xavier Durana, Board Member
John P. Fullerton, Board Member
Margaret "Peggy" Rolando, Board Member

Warren Adams, Historic Preservation Officer
Kara Kautz, Assistant Historic Preservation Officer
Gustavo Ceballos, Esq., Assistant City Attorney

Nancy Lyons, Administrative Assistant

1 * * * * *

2 MR. MENENDEZ: All right. The next case
3 file, Case File COA (SP) 2021-021, an application for the
4 issuance of a special certificate of appropriateness for
5 the property at 1224 Country Club Prado, a local historic
6 landmark legally described as the south 15 feet of Lot
7 Ten, and the south 15 feet of Lot 23, and all of Lots 11
8 to 13, inclusive, and Lots 20 to 22, inclusive, Block 77,
9 Coral Gables Granada Section, according to the plat
10 thereof as recorded in Plat Book Eight at Page 113 of the
11 public records of Miami-Dade County, Florida.

12 The application requests design approval for
13 the demolition, relocation and/or reconstruction of
14 historic site features. Mr. Adams.

15 MR. ADAMS: Okay. Constructed in 1923,
16 designed by Kiehnel and Elliott, the residence at 1224
17 Country Club Prado is an example of the early type of
18 architecture that helped define the city.

19 In the 1930s, the rear of the property was
20 developed as a formal garden by the owner, Leslie Coombes,
21 a close associate of Merrick who served as secretary to
22 the Coral Gables Corporation and as an appointed trustee
23 and manager for Coral Gables, Inc., a trust of the
24 corporation.

25 The garden at the rear showcased his rare

1 plant collection and contained a central pergola flanked
2 by inter-connecting walkways, a pond, grotto and barbecue,
3 all constructed of native coral.

4 In 1992, an application was made to split the
5 property into four single-family residential sites. At
6 this time, the Historic Preservation Board considered the
7 property for designation, but they were unable to come to
8 an agreement and so the property was not designated.

9 The city commission agreed to the lot split.
10 However, they approved three sites rather than the four
11 requested, so this is quite important.

12 As you can see from the survey there, the red
13 lines roughly delineate the split of the property, so the
14 historic residence is to the east, the historic residence
15 and the outbuilding, and the majority of the garden was to
16 the west, and it is this line to the west that the
17 application is made to split off into two sites.

18 There were a number of conditions. No
19 developments of these two sites to the west has taken
20 place. However, the city attorney's office has advised
21 that the approval to split these lots is still valid.

22 Then ultimately in 2019, the entire property
23 was designated.

24 The applicant before you is in the process of
25 purchasing the property. His intent is to restore and

1 live in the original historic house and sell the two lots
2 to the west to a developer for the development presumably
3 of two single-family homes.

4 Any development on these two lots to the west
5 will have to come back to the board for review because
6 even if they're sold, they're still designated historic
7 sites. The applicant is aware that all future proposals
8 for the property and the lots to the west will have to
9 come back to the board for review.

10 The applicant is really here to try and find
11 out potentially what would get board support prior to his
12 final purchase of the property.

13 A number of people have been in touch with us
14 about this property. It has been vacant for a couple of
15 years. Nothing has moved forward, and this applicant
16 would like to proceed, but he would like to get
17 some indication from the board as to what potentially he
18 could do with these lots to the west and the property.

19 So the potential is to relocate some of the
20 items, remove some of the items, and retain some of the
21 items in their current position and restore them.

22 There's a number of things that have to be
23 considered. Number one is obviously the prior approval to
24 split the property.

25 The second thing is that the house has been

1 vacant for a number of years and it's been difficult
2 finding a purchaser.

3 No documentary evidence has been found to
4 determine whether the garden was designed as one entire
5 landscape or whether it was added to piecemeal over time.

6 In addition to the Secretary of the
7 Interior's standards, you also have to be aware of the
8 section of the code. There's a section of the code which
9 relates to the removal or destruction of existing
10 landscape features, and it states:

11 "No certificate of appropriateness shall be
12 granted for the removal, relocation, concealment or
13 effective destruction by damage of any landscape features
14 or archaeological sites, especially designated as
15 significant within the boundaries of the historic landmark
16 or historic landmark district unless one of the following
17 conditions exist."

18 And Condition Number One is the designated
19 landscape feature or archaeological site is located in the
20 buildable area or yard area where a structure may be
21 placed and unreasonably restrict the permitted use of the
22 property, so all of this has to be taken into
23 consideration.

24 So the applicant is requesting either
25 relocation, alteration, or removal of the following

1 features.

2 You have in your packet your landscape plan
3 which shows the significant features which was
4 commissioned by the applicant.

5 This is an aerial view of the property, and
6 as you can see, most of it, most of the landscape is
7 obscured. You can see a circular feature there which
8 we'll discuss.

9 And so these are the main items that were
10 identified when we were out on the site that the applicant
11 was really requesting permission for.

12 Number One is a pond. The pond was partially
13 covered when we went out there, but the applicant did have
14 it uncovered for us. The applicant would like to remove
15 the pond and he would like to put a swimming pool here,
16 and staff is recommending that the pond be retained in its
17 original location and restored as a significant feature
18 and the swimming pool be located elsewhere.

19 Number Two is a small coral rock circle that
20 may have had plants in it or something. This doesn't
21 appear to affect any of the buildable area of the property
22 as a minor feature, but it doesn't look as if it's going
23 to affect anything, so the applicant would like to remove
24 it. Staff is recommending its retention.

25 Number Three is a coral rock gazebo. This is

1 entered from a doorway in the north elevation. There are
2 several window openings which don't ever to have appeared
3 to have been, had any frames or glass. There is no roof,
4 but metal poles indicate there may have been a canvas
5 covering. The interior of the gazebo contains a number of
6 tiers with inside it.

7 As you can actually see from the survey, and
8 I'll go back to it, the lot split from the north to the
9 south actually goes through one wall of the gazebo, so
10 this would effectively be bisected by this proposed lot
11 split.

12 The applicant is very keen to retain the
13 gazebo, and there are a number of options.

14 Number One is demolish it, which the
15 applicant doesn't want to do.

16 Number Two is take it apart and rebuild it on
17 the applicant's lot, which obviously is a major project.

18 Number Three is actually build a fence along
19 the north-south line and actually put the fence through
20 the interior of the gazebo, which would mean the gazebo is
21 not being altered, but it would cause problems with
22 maintenance issues because it's going to be shared between
23 two properties.

24 Number Four is reconfigure the lot split so
25 that all of the gazebo is contained within the applicant's

1 property, but of course, that is a lengthy and costly
2 process which may not be approved.

3 And Number Five is the ability to perhaps
4 take down the coral rock walls which are within the
5 properties to the east and use that coral rock to rebuild
6 a new rear wall in the gazebo so the entire gazebo is
7 contained within the property to the west.

8 So staff's recommendation is for the final
9 option. It seems to be the cleanest and simplest way to
10 do it.

11 The next feature is Number Four, which is a
12 water basin surrounded by coral rock. This is actually on
13 the north, within the north set-back, I believe. It
14 doesn't appear to affect anything in the property, so we
15 are recommending that is retained.

16 Number Five is a set of coral steps. There
17 are two sets of steps which are bisected by the property
18 line. We believe these are minor features, and if they
19 were split between the properties, really they would have
20 no significant use, so we're okay with them being removed.

21 Number Six are two carved pathways, and these
22 are actually the features you can see in the aerial. The
23 two curves actually form a circle there.

24 It's our determination that one of these
25 paths is unsurfaced, one of of them is surfaced with

1 broken concrete which suggests this was done at a later
2 stage. There is some coral rock along the edges of the
3 path, but I believe the circular feature really, really is
4 visible from the air because of the plantings as opposed
5 to the actual, actual structures themselves.

6 And so you know, we don't have any real issue
7 with them being removed, especially because this obviously
8 does really affect the buildable lots, and so that has to
9 be taken into account as well.

10 Number Seven is a broken concrete walkway.
11 This is the walkway that you can actually see on the
12 survey that extends from west to east, across the lots to
13 the west.

14 This is basically made just from broken
15 concrete, so really it's not a significant architectural
16 material. It does affect the buildable area and the lots,
17 and unreasonably, I would suggest yes, so that has to be
18 considered, and it is only made of concrete slabs.
19 Therefore, there's no real issue from staff with that
20 being removed.

21 Number Eight is the coral rock fire pit.
22 Now, the fire pit would affect the buildable area of the
23 northwestern lot.

24 However, the applicant is willing to
25 dismantle, record, dismantle, and rebuild the fire pit on

1 his property, either incorporating it into the gazebo or
2 making it a free-standing element near his swimming pool
3 or something, so the coral rock fire pit would be saved.

4 Number Eight (sic) is a coral rock boulder
5 path. The problem with this path is it doesn't read
6 anywhere. We don't know if there was something at the end
7 of the path. We don't know if it terminated at a fountain
8 or a feature or what, so really there's a path that just
9 sort of peters out.

10 We did have the applicant uncover some of the
11 soil to make sure there wasn't any solid path underneath
12 it, which there isn't, it's only gravel, and so there's no
13 concern from staff with removing that path.

14 And Number Ten is another similar path and
15 just on the other side of the lot, so there was no concern
16 with that.

17 And Number Eleven is there are a number of
18 scattered features, piles of coral rocks, parts of paths
19 of concrete pavers, and we have no real issues with those
20 being removed.

21 No variances have been requested. However,
22 should there be any alterations to the gazebo, that will
23 require variances. That will come back to the board at
24 that time.

25 It's not been reviewed by the board of

1 architects. Obviously any future applications will have
2 to be reviewed by the board of architects.

3 And so the conclusion is that the history of
4 the site is complex and its future does require serious
5 consideration. We don't know if it was all designed at
6 the same time or designed piecemeal, and there's no
7 documentary evidence to suggest the original intent, so
8 even a restoration would be based on what you could find,
9 and a lot of it would be conjectural, so these are all the
10 things that have to be considered.

11 Secondly, the restoration of the house and
12 the outbuilding has to be considered. They have been
13 vacant for two years.

14 Ideally the entire site would be purchased by
15 one person who wanted to retain everything and restore the
16 garden. However, the inquiries we've received so far have
17 come to nothing.

18 And we also have to bear in mind the approval
19 by the city commission to split the property is still
20 valid. We have to bear in mind the section of the code
21 which refers to unreasonable restrictions on improved
22 lots.

23 And fourthly you have to determine which
24 features are the most significant. Some are built from
25 coral rock which is an attractive material that requires

1 skill to shape and build with. Some are simple concrete,
2 and some are prominent purely because of the vegetation.

3 So therefore in consideration of all of the
4 above, staff requests that the following conditions be
5 incorporated into the approval.

6 Number One, All coral rock from the removed
7 features and found scattered throughout the site shall be
8 salvaged and reused in the properties, for example, to
9 build a new eastern wall in the gazebo or construct new
10 site features.

11 Two, All coral rock boundary walls around the
12 site shall be retained.

13 Three, All significant trees and plants and
14 groupings of trees and plants as determined by Public
15 Works shall be retained.

16 Four, The applicant shall return to the board
17 with all future plans for the restoration, alteration,
18 relocation, reconstruction and/or removal of site features
19 and structures.

20 Five, The applicant shall inform all
21 potential purchasers of the lots to the west that all
22 alterations and new construction shall require review by
23 the Historic Preservation Board.

24 Six, The applicant shall ensure that all
25 potential purchasers of the lots to the west will be

1 required to enter into a legally binding agreement that
2 the gazebo and fire pit, if retained in the western lots,
3 will be retained and maintained.

4 Seven, All features to be dismantled,
5 relocated and reconstructed shall be fully documented
6 through photographs and drawings prior to dismantling.

7 Eight, An experienced conservator and
8 architect with historic preservation experience shall be
9 retained to oversee the dismantling, relocation and
10 reconstruction of site features.

11 Nine, The preservation office shall be
12 immediately informed of any issues arising from
13 dismantling, relocation and reconstruction of site
14 features, and all work on the features shall immediately
15 cease until the preservation office has been given the
16 opportunity to provide advice.

17 Ten, The preservation office shall be
18 immediately informed if any additional features, material
19 or artifacts not identified in this report are uncovered
20 during excavation of the site, and all excavation work
21 shall immediately cease until the preservation office has
22 been given the opportunity to provide advice.

23 Eleven, All additional features, materials,
24 or artifacts uncovered during excavation shall remain in
25 situ until the preservation office has been given the

1 opportunity to provide advice.

2 Twelve, If the preservation office determines
3 further expert advice is required for any features,
4 material or artifacts uncovered during excavations, the
5 property owner shall, at their expense, employ the
6 services of an archeologist.

7 Thirteen, The landscape plan shall be revised
8 to include all existing site features and submitted to the
9 preservation office along with photographs of the site
10 features.

11 And Fourteen, All future purchasers of the
12 lots to the west shall be fully informed of and be
13 required to comply with these conditions.

14 So there is a motion to approve with
15 conditions, and the recommendation is to approve the
16 proposal for, One, the retention in situ and restoration
17 of Feature One, the pond; Feature Two, the coral rock
18 circle; Feature Four, the coral rock surrounding the water
19 basin.

20 Number Two, The alteration of Number Three,
21 the gazebo, by dismantling the small sections of the walls
22 on the eastern lots and building a new eastern wall of the
23 gazebo in the property line using salvaged coral rock from
24 the site so that all of the gazebo is within the
25 northwestern lot.

1 Three, The relocation of Number Eight, the
2 coral rock fire pit, with the final location to be
3 submitted for review by the board.

4 And Four, The removal of Item Number Five,
5 the steps.

6 Item Six, The curved coral rock path border
7 with partial broken concrete paving.

8 Seven, The broken concrete walkway.

9 Nine, The coral rock path border.

10 Ten, The coral rock path border.

11 And Eleven, The scattered coral rock and
12 concrete slab features.

13 So quite a complex site, and there's been a
14 lot of opinions, and you know, this is why the applicant
15 is here, to, you know, hear the board's opinions on this.

16 We have received two letters which I can read
17 into the record.

18 "On behalf of the Historic Preservation
19 Association of Coral Gables, please accept this letter in
20 support of staff's recommendation to approve the
21 recommendation of the retention in situ and restoration of
22 the following items:

23 "One, the pond; two, the coral rock circle;
24 four, the coral rock surrounding the water basin.

25 "However, the other points should take into

1 account that the property was designated in 2019.

2 "The local historic designation report
3 specifically includes the formal garden and all its
4 features as part of the designation of the garden.

5 "It states, 'In the 1930s, the rear of the
6 property was developed as a formal garden by the owner,
7 Leslie Coombes, a close associate of Merrick who served as
8 the secretary to the Coral Gables Corporation and as an
9 appointed trustee and manager for Coral Gables, Inc., a
10 trust of the corporation.

11 "'The garden showcased his rare plant
12 collection and contained a central pergola flanked by
13 inter-connected walkways, a pond, grotto and barbecue, all
14 constructed of native coral rock. These features are
15 extant among the vegetation of the rear yard.'

16 "For this reason, it is suggested that the
17 board consider the significance of this property and
18 follow the intent of the 2019 designation.

19 "The preservation of materials is crucial and
20 it should be retained as part of the property.

21 "The Historic Preservation Association of
22 Coral Gables promotes the understanding and the importance
23 of historic resources and their preservation in Coral
24 Gables.

25 "We ask the Historic Preservation Board to

1 please accept this letter in support of staff's
2 recommendations Items One, Two and Four with the
3 conditions to consider the significance of the property
4 and its formal garden developed by a close associate of
5 George Merrick and which features are part of the
6 designation."

7 And that's from Karelia Martinez-Carbonell,
8 president, Historic Preservation Association of Coral
9 Gables.

10 A second letter is from Brett Gillis:

11 "Dear Members of the Historic Preservation
12 Board, I live around the corner from the subject property
13 and am concerned about the impending COA. Neighbors were
14 not given notice because this was a COA. I do not believe
15 the neighborhood has a good handle on what is going on
16 here and the extreme changes that could occur.

17 "Two, The property was designated as a whole,
18 the beautiful and unique landscape design being a
19 significant part of the designation.

20 "Three, uif the lot split decision is still
21 legally binding, then I recommend the following: Preserve
22 as much as possible. No coral rock should be removed, but
23 should all be adaptively reused somehow in the property as
24 a visible reminder of the past.

25 "Something must also be done to ensure the

1 historic features that may end up on lots with new houses
2 are understood to be historic and irreplaceable, perhaps
3 with historic markers stating this. These features are
4 going to be in the back and difficult to monitor from the
5 public right of way.

6 "This is concerning. It may be better for
7 the coral rock landscape features on the ground to be
8 moved to the site with historic buildings.

9 "Four, Any COA approved involves the moving
10 or relocation of historic fabric such as coral rock should
11 be contingent upon a legal agreement that the parcel will
12 indeed be split into three lots with two lots facing Red
13 Road that will remain designated so that two compatible
14 homes could be constructed facing Red Road instead of one
15 McMansion. They should not be able to move the historic
16 fabric if they aren't going to split the lots.

17 "Five, Finally and perhaps my strongest
18 point, historic preservation is not punitive. It would be
19 nice to help the residents achieve their functional
20 objectives, but historic preservation is not one-sided.

21 "It is not only what we as residents ask of
22 history and preservation, it is also what historic
23 preservation asks of us.

24 "It is my position to work with the
25 homeowners to achieve their objectives, but that a COA

1 permits relocation of historic fabric to allow a lot split
2 should include the restoration of all the historic fabric
3 remains.

4 "Therefore, in summary, One, the agreement
5 must result in two lots facing Red Road that are
6 ununifiable.

7 "Two, The agreement must result in the
8 preservation and adaptive reuse of all the coral rock in
9 the site.

10 "And Three, The revenue from the sale of the
11 two lots must be used for restoration of the historic
12 site, including the building, features, fabric, et cetera.

13 "I cannot stress enough, please do not allow
14 the lots to be split and coral rock moved just for this
15 lovely old Spanish home to sit there and rot away."

16 And that's from Brett Gillis.

17 Now, the city attorney will advise you on the
18 lot split and how it is still valid and how the boards may
19 or may not use that lot split in their consideration.

20 MR. CEBALLOS: So as previously indicated,
21 the lot split happened back in 1992, Ordinance 2993. If
22 you actually go to our current zoning code, there is a
23 cite specific for this property with this particular lot
24 split, so it's in our code.

25 The issue is that when it was designated in

1 2019, it basically made the lot split unusable, meaning
2 the only way they could be used is if the historic
3 components from these lots are relocated.

4 So in essence, the lot split exists but is
5 not usable until this board approves certain components to
6 be moved or relocated. That's basically it in a nutshell.

7 MS. SPAIN: So they couldn't have a lot split
8 and just keep -- oh, I'm sorry. They couldn't have a lot
9 split and just keep the historic --

10 MR. DURANA: Elements.

11 MS. SPAIN: -- stuff, elements on those lots?

12 MR. CEBALLOS: I'm not sure whether that's
13 feasible or not. That is not my area of expertise.

14 MS. SPAIN: Okay, but legally --

15 MR. CEBALLOS: Legally --

16 MS. SPAIN: -- legally the lot split is still
17 absolutely valid, and I get that.

18 Because the entire property is designated as
19 historic, the Historic Preservation Board would approve
20 whatever is built on the other two lots --

21 MR. CEBALLOS: Correct.

22 MS. SPAIN: -- regardless of what historic
23 fabric is left on them?

24 MR. CEBALLOS: Correct.

25 MS. SPAIN: Okay.

1 MR. FULLERTON: I was thinking something like
2 along those lines. The fire pit, for instance, might be
3 left alone -- sorry, my phone is doing -- sorry. I had it
4 on silent I thought.

5 So the fire pit might remain if the property
6 line is far enough south of it to allow it to stand alone
7 and the new house designed in some way around it.

8 MR. INFANTE: I'll let my architect and
9 friend Orlando speak about that. First of all, my name is
10 -- may I speak?

11 MR. FULLERTON: Yes.

12 MR. ADAMS: It's up to the chair. This is
13 the property owner. Would you like -- or not the owner;
14 the potential, the potential owner. Would you like him to
15 speak now before board discussion?

16 MR. MENENDEZ: Are you through with your
17 presentation?

18 MR. ADAMS: I am through with my
19 presentation, yes.

20 MR. MENENDEZ: Okay, then.

21 MR. INFANTE: Good evening.

22 MR. MENENDEZ: Go ahead.

23 MR. INFANTE: My name is Jose Infante, and I
24 reside at 840 Granada Grove Court. I am, presently have
25 the property under contract, and I'm here to see if the

1 board allows me to go forward with our plan, which we
2 concur with staff.

3 I plan to live on the property until whatever
4 days I have left.

5 Regardless of your decision tonight, I wanted
6 to take a minute and thank you all. For the ones that I
7 have spoken to and staff, you have been very professional,
8 made it very painless for me, and as a Coral Gables
9 resident, I'm very proud of that.

10 So with that I've said, I would like to
11 present my friend, Orlando Comas, and landscape architect,
12 and if you have any questions on how we plan to do it, he
13 is the man.

14 MR. ADAMS: May we have the Power Point,
15 please?

16 MR. COMAS: Hello, Mr. Chairman, board
17 members, staff. My name is Orlando Comas. I'm a
18 registered landscape architect. This one?

19 MR. ADAMS: Yes.

20 MR. COMAS: Okay. I made a very brief
21 presentation here. This wall is on 57th Avenue, and it
22 has one little gate that you can see the center, but it
23 will remain, from the red mark to the red mark, which is
24 the property lines, it will remain intact.

25 MR. FULLERTON: Even when a new house is

1 built?

2 MR. COMAS: Yes. That's one of, one of the
3 conditions that, well, when they approved the splitting of
4 the lots, they have that as a condition.

5 MR. ADAMS: Yes. There will be access to the
6 houses which will come back to the board at that time, and
7 when the lots were split, there was a condition that both
8 houses should have a semi-circular driveway.

9 Staff would not support that because it
10 involves loss of a lot more of the wall, so we would work
11 with the applicants and the board to minimize the amount
12 of the coral rock wall that would be removed for access.

13 MR. COMAS: I feel that when whomever comes
14 in front of the board with those two lots, it should have
15 one cut, not two, but that will be up to you.

16 MR. FULLERTON: So would you do that kind of
17 in the center and let them go?

18 MR. COMAS: Could be, yeah, but that will be
19 at that time your decision.

20 MR. FULLERTON: That would kill my idea about
21 leaving the fire pit where it was.

22 MR. COMAS: This was thanking you all. This,
23 the purple -- yes, but they're seeing that line.

24 MR. FULLERTON: The mic.

25 MR. COMAS: The purple dashed line in the

1 center of the property practically has no trees. There is
2 a couple of, a tract is here for Chinese fan palms and a
3 few solitaire palms.

4 But the majority of the trees are within the
5 perimeter of the property, of the two lots, nothing in the
6 center, so it will provide for the new developer to be
7 able to build without necessarily having to disturb the
8 existing vegetation.

9 I was asked to prepare a vegetation survey,
10 and Public Works, Jim Avel (phonetic) called me, "Are you
11 moving?"

12 "No, no, no. I just prepared a vegetation
13 survey for records."

14 Because there was no documentation in files,
15 any previous records of any existing trees or anything
16 like that.

17 So that itself is a convenient asset for the
18 new developer whenever it comes.

19 Now, we have all the way in the back in red
20 the fire pit, which has several options in the conditions.
21 One option is to place it where "A" is, next to the
22 grotto.

23 Another option is to move it all the way
24 inside the property that Mr. Infante will live in.

25 And another one, which is not in the

1 conditions but could be, is leave it where it is and let
2 the new owners --

3 MR. FULLERTON: Take care of it.

4 MR. COMAS: -- come in front of you.

5 MS. SPAIN: Well, they'll have to anyway.

6 MR. FULLERTON: Right, yes.

7 MR. COMAS: Yeah. It's really up to you. He
8 will, Mr. Infante will accept any condition.

9 The issue of the grotto, I have a light green
10 and a dark green. The grotto goes all the way to the
11 structure. I don't know what they call that.

12 Now, we can either remove the dark green and
13 build the wall right on the property line, or to allow
14 some set-back to the new lot, remove the dark green and
15 the light green and build a wall there. That way the
16 property line will have a set-back on both sides and
17 rebuilding the grotto shouldn't be a problem.

18 In dark blue is the pond. Unfortunately, I
19 don't have a photo of the pond. You do?

20 MR. ADAMS: There was one.

21 MS. ROLANDO: It's in the book.

22 MR. COMAS: You do.

23 MS. ROLANDO: It's in the book.

24 MS. SPAIN: We have one.

25 MR. COMAS: Yeah. I really -- you know, it's

1 about 14 inches deep, all cracked, full of grass. Some of
2 the sides are in coral, which I don't know how it kept the
3 water, but it probably did.

4 It's not a basin designed for kois or --
5 because it's not too deep or anything like that; maybe for
6 a little fountain, or it's really up to you if you want to
7 keep the motion of keeping it or --

8 MS. SPAIN: Do you know if there's plumbing
9 that goes to it?

10 MR. COMAS: I'm sorry?

11 MS. SPAIN: Have you found any plumbing that
12 goes to it or any type of --

13 MR. COMAS: No.

14 MS. SPAIN: Doesn't the one at the Merrick
15 House have plumbing, water that goes to it, or not?

16 MS. KAUTZ: In the back?

17 MS. SPAIN: No, no, no, no; the pond in the
18 front.

19 MR. COMAS: No, and it doesn't have drainage.

20 MR. FULLERTON: Is it possible --

21 MR. COMAS: So it was either they filled it
22 up with a hose and they pumped it out.

23 MR. ADAMS: I don't believe you've dug all
24 the way down to the bottom of the pond, though.

25 MR. FULLERTON: Pardon?

1 MR. ADAMS: You haven't dug all the way down
2 to the bottom of the pond. It's still filled in with soil
3 and --

4 MR. COMAS: No, no. I mean, it's visible,
5 so, yeah.

6 MR. FULLERTON: Is it possible for them to
7 come back with an idea, at some point in the future, maybe
8 five, ten years from now --

9 MR. COMAS: Yeah.

10 MR. FULLERTON: -- then with an idea to
11 reestablish it as something but leave it there in that
12 place?

13 MS. SPAIN: I think those ponds were fairly
14 typical in the '20s.

15 MR. FULLERTON: Yeah.

16 MS. SPAIN: And someone told me, and I can't
17 think of who it is, but they would go fishing and they
18 would bring the fish back and put them in the pond.

19 MR. FULLERTON: Yes.

20 MS. SPAIN: I don't know if they ate them, I
21 don't know. I have no idea.

22 But they were very typical for the '20s, but
23 I thought that they were actually piped.

24 MR. COMAS: Mr. Fullerton is right. I mean,
25 we can -- you can approve it to stay, and then when we

1 come back --

2 MS. SPAIN: Yes.

3 MR. COMAS: -- when the pool is going to be
4 built, maybe it's on the way of the pool.

5 MR. FULLERTON: If it remains there
6 undisturbed for now, I mean --

7 MR. COMAS: It's not going to bother anybody.

8 MR. FULLERTON: -- at some point --

9 MR. COMAS: Right.

10 MR. FULLERTON: -- you come back and you say,
11 "Hey, I've got an idea for it."

12 MR. COMAS: And then there is the little
13 round circle, and you know, we don't mind --

14 MR. INFANTE: And you just gave me an idea
15 for the fish because my father and I were fishers.

16 MS. SPAIN: There you go. I know that sounds
17 really stupid. Who could possibly --

18 MR. COMAS: This is the grotto.

19 MS. SPAIN: That's very cool.

20 MR. COMAS: Which with some good professional
21 stone mason, it could be rebuilt.

22 MR. INFANTE: I already have two outfits.

23 MR. COMAS: This is the grotto from the back,
24 from the west.

25 MS. SPAIN: Very cool. I am so sorry I

1 missed going out there.

2 MR. FULLERTON: That's why you want to keep
3 it.

4 MR. COMAS: This is the walkway through the
5 center of the property which is just pieces of concrete.
6 There are some, by the way, some beautiful trees,
7 beautiful.

8 MR. FULLERTON: There's one amazing tree that
9 must be 150 years old, lying down.

10 MR. COMAS: That's dead.

11 MR. FULLERTON: Yes, that's quite dead.

12 MS. SPAIN: Oh, well.

13 MR. FULLERTON: But I saw it from the Red
14 Road side.

15 MR. COMAS: Two of them.

16 MR. FULLERTON: Really? That's the biggest
17 tree I've seen in Coral Gables, like the biggest oak I've
18 ever seen.

19 MR. COMAS: But there are two, one in the
20 front and one all the way close to 57th Avenue, wild
21 tamarinds which are probably --

22 MR. FULLERTON: Yes.

23 MR. MENENDEZ: -- 35 inches in DVH.

24 MS. SPAIN: Wow.

25 MR. FULLERTON: Yes, I think in

1 circumference, it might be eight, nine feet.

2 MR. COMAS: Yes.

3 MR. INFANTE: And you know, bulk trees like
4 that, they're called dead fallen trees. If you go to
5 Metro Zoo, you'll see them there and we put them there,
6 with permits.

7 MR. FULLERTON: No kidding.

8 MR. INFANTE: Yeah, with permits, so I had to
9 pay for those. If I had known --

10 MR. FULLERTON: Why aren't you going to sell
11 them to the zoo?

12 MR. COMAS: Maybe he didn't mention -- and I
13 know this because we're friends since we were 14.

14 MR. INFANTE: Right.

15 MR. COMAS: -- but he is the founder and
16 co-owner of SFM which does a lot of maintenance work for
17 Coral Gables.

18 MS. SPAIN: Oh, yes.

19 MR. INFANTE: Landscape installation, et
20 cetera.

21 MR. FULLERTON: You need to get your card.

22 MS. SPAIN: SFM.

23 MR. COMAS: The little orange cars. That's
24 the little circle that you want to keep also, right?

25 MR. ADAMS: I'm just trying to retain as much

1 as possible --

2 MR. COMAS: Right, right.

3 MR. ADAMS: -- on the non-developable lots,
4 but that's a decision for the board.

5 MR. COMAS: We don't have a problem -- I have
6 a feeling, I have a feeling that that basin there was in
7 the center of that circle.

8 MS. ROLANDO: Was in the center of what?

9 MR. COMAS: Of the coral rock circle, but
10 that's just gut feeling.

11 Oh, this is the other one that you can barely
12 see it. Right behind the pole, there is a metal basin --
13 is it metal? -- metal basin surrounded by coral rock,
14 which we don't mind it, you know, staying there. It's
15 right next to the grotto.

16 Some of the trees eventually are going to
17 have to come with a tree disposition and be removed. I
18 would recommend to him that he leaves all of that, he
19 doesn't remove it now because it will open up the view to
20 57th Avenue.

21 MR. FULLERTON: Right. You don't want to do
22 that.

23 MR. COMAS: So just leave it there. Just a
24 bunch of -- this is part of the fire pit. That's the fire
25 pit --

1 MS. SPAIN: I think it should stay there.

2 MR. COMAS: -- which could be rebuilt. That
3 is just a colored one I did so that it would be easier to
4 understand, but the light green in the center are just --
5 let me see if there is -- no. It's just intertwined mixed
6 shrubs and vines, and it's really messy.

7 MR. FULLERTON: It's beautiful, though.

8 MR. COMAS: Yes, yes.

9 MR. FULLERTON: It's lovely, lovely compared
10 to the front.

11 When you look at the front, it's so sterile
12 and open, and you go to the back, I walked along the whole
13 wall there and I was over the wall and hoping I wasn't
14 being watched by the police or anything, but it's so
15 beautiful back there.

16 MR. INFANTE: The most important thing is the
17 house.

18 MR. COMAS: Yes, yes.

19 MR. FULLERTON: Yes.

20 MR. INFANTE: I want to maintain the house
21 and live in the house.

22 MR. COMAS: He has a love affair, a new love
23 affair with the house.

24 MR. FULLERTON: I had a thought about the
25 wall, and I don't want to take it down in any way.

1 MR. COMAS: No way.

2 MR. FULLERTON: But I thought rather than do
3 one hole in the middle of it which would take down that
4 fire pit, you do two like 12-foot openings on the north
5 and the south.

6 MS. SPAIN: Yes.

7 MR. FULLERTON: And then you allow access to
8 a courtyard, and the houses are, houses are kind of made
9 to fit together in such a way to create a nice space
10 between.

11 MR. COMAS: If it's designed by one
12 developer, it could.

13 MR. FULLERTON: Yes, yes.

14 MR. COMAS: You could design it with a mutual
15 entrance.

16 MR. FULLERTON: Yes, and that way you'd
17 preserve the longest section of it without any break and
18 you could make some sort of -- I'm concerned about access
19 to Red Road also with that, so you know, you got to figure
20 out how to make sure it's safe.

21 MR. COMAS: Yeah, because it would not be
22 easy to back up.

23 MR. FULLERTON: Sorry?

24 MR. COMAS: It would not be easy to back up.

25 MR. FULLERTON: No, you couldn't.

1 MR. CEBALLOS: Pardon my interruption, my
2 apologies. It's just something I should probably bring to
3 light so that everyone is aware of it.

4 As part of the original ordinance back in
5 1992, there are certain conditions that they need to still
6 abide by, the first of one, we can't find a vegetation
7 plan from 1991. I believe everyone has attempted to and
8 they haven't been able to, so I think we probably have to
9 go off of the most recent vegetation plan.

10 But there are different, there are three --
11 four more points, and I'll read them just so that everyone
12 has them. They're very short.

13 "One, In addition to the specified trees,"
14 which we have to go off the most recent record, "as much
15 of the existing vegetation as possible shall be preserved.

16 "As much of the existing coral rock wall,
17 house and guest house as practical be preserved with no
18 major modifications made to the residence." That is the
19 part that is now historic.

20 "The development for the plans of the two
21 building sites include circular driveways to facilitate
22 safer access to Red Road."

23 So there may be a few more intrusions than
24 originally anticipated on that coral rock wall, but that
25 was considered by the commission back in 1992.

1 And that basically any plans for the
2 development on the homes on Red Road and any tree removal
3 permit will need to be reviewed by the planning department
4 with the plans with these records just so that everybody
5 knows.

6 MR. FULLERTON: You could have a single
7 entrance on the north and a single lane in the south and a
8 cul-de-sac of some sort inside the property which allows
9 you to turn around and come back out.

10 MR. ADAMS: Question, Gus: That was, those
11 conditions were made before it was a historic site?

12 MR. CEBALLOS: That is correct.

13 MR. ADAMS: Now it's a historic site. Does
14 the board have the authority to override the condition and
15 the circular driveways? I don't think we need to know
16 right now. It may be something that we need to consider.

17 MR. CEBALLOS: As of right now, I'd have to
18 look into it.

19 MR. ADAMS: Yes.

20 MR. CEBALLOS: But my inclination is that
21 would probably need to go back to the commission --

22 MR. ADAMS: Okay.

23 MR. CEBALLOS: -- for some sort of approval.
24 Although the site plan itself is part of the code which
25 the board has the authority to, frankly, override, these

1 conditions are not part of the code. They were part of an
2 ordinance by our city commission, so I would recommend
3 that they probably have to go back to the commission if
4 they needed to be modified.

5 MR. COMAS: Gentlemen, ladies, thank you.

6 MR. MENENDEZ: Okay. Mr. Comas?

7 MR. COMAS: Yes.

8 MR. MENENDEZ: Do you agree with all the
9 conditions and stipulations that have been addressed here
10 in the --

11 MR. COMAS: Yes.

12 MR. MENENDEZ: You would abide by all the
13 conditions here?

14 MR. INFANTE: Yes, I do.

15 MR. MENENDEZ: Fire pit, you would --

16 MR. INFANTE: Relocate.

17 MR. MENENDEZ: -- relocate to your side of
18 the property?

19 MR. INFANTE: My side or in the same lot, but
20 I would have to come back to you and ask you permission.

21 MR. MENENDEZ: Okay.

22 MS. ROLANDO: What about leaving the fire pit
23 as is in its current location?

24 MR. INFANTE: That might be a hindrance to
25 whoever wants to buy the lot if you have --

1 MR. MENENDEZ: The thing is when he sells the
2 two properties to the north, he loses access --

3 MR. FULLERTON: No, to the west.

4 MR. MENENDEZ: To the west, he loses access
5 to that fire pit.

6 MS. ROLANDO: Yes, I know.

7 MR. FULLERTON: Well, yes.

8 MR. MENENDEZ: So I would much rather that
9 that fire pit and any coral rock be saved and moved.

10 MR. COMAS: It will be better for him if we
11 relocate it.

12 MR. FULLERTON: Yes.

13 MS. ROLANDO: I'm sorry?

14 MR. COMAS: It will be better for him if we
15 relocate it because he will be able to sell the lot clear
16 of any --

17 MS. ROLANDO: No, I understand.

18 MR. INFANTE: Right.

19 MR. FULLERTON: The big thing that I get
20 concerned about is that item we had three or four months
21 ago, the house that somebody wanted to move that had a
22 coral rock base on it.

23 There is no way to move coral rock without --
24 you know, it has to be dismantled completely and then
25 built again, and that would mean to me you'd have to

1 present some sort of plan how to do it.

2 MR. ADAMS: There are conditions there that
3 dictate, you know, a conservator, a preservation
4 architect, full recording of the structure before
5 dismantling, and again, that would all have to come back
6 to you so you can determine if the plan is strong enough
7 or not.

8 MR. MENENDEZ: That's one of the conditions.

9 MR. FULLERTON: You almost have to dismantle
10 it stone by stone, mark the stone, where it went and
11 you --

12 MR. INFANTE: Let the experts do it.

13 MR. FULLERTON: Yes, thank you, and the other
14 question I had is where do you find an archeologist? Do
15 we have --

16 MR. ADAMS: There are plenty archeologists in
17 there.

18 That is really just a, that is sort of a
19 safeguard just in case either the applicant or any future
20 developer starts uncovering the site and they start
21 uncovering other landscape features that are perhaps
22 buried, we would want them uncovered carefully, fully
23 documented, and then they will have to come back to you as
24 well should they, you know, should any future developer
25 wish to move them.

1 And that's, I'm not anticipating it, but
2 better be safe than sorry.

3 MR. MENENDEZ: Okay. Is there anyone in the
4 audience who would like to speak in favor of this case?

5 MS. LYONS: There was someone in the audience
6 who had their hand up, but they put their hand down.

7 MR. MENENDEZ: Okay. Is there anyone in the
8 audience --

9 MS. LYONS: Wait, wait, wait. Okay. There's
10 someone in the audience -- I'm asking them to unmute.

11 MS. MARTINEZ-CARBONELL: Hello? Hi. This is
12 Karelia.

13 MR. MENENDEZ: Go ahead.

14 Ms. MARTINEZ-CARBONELL: Hello?

15 MR. FULLERTON: Yes.

16 MS. MARTINEZ-CARBONELL: Okay. Hello,
17 everyone. Good evening. Yes. Thank you for reading the
18 letter from the Historic Preservation Association. I am
19 representing our group as president.

20 And I do want to just again emphasize that
21 the whole property was designated historic in 2019. The
22 designation report does not mention a lot split. It
23 designated the whole garden and all the coral rock that is
24 part of the garden.

25 So, and I am listening to everybody speaking.

1 I think we all agree the coral rock really cannot be moved
2 without it being then destroyed.

3 So you know, please consider that even if the
4 lots are split, those coral rock features should remain
5 because the lots are historic in and of themselves, and
6 hopefully, you know, that is going to be the consensus.

7 But again, splitting these coral rock
8 features and the barbecue pit and the grotto, you know,
9 strongly please go back to the designation report, and
10 let's -- and we need to honor that because then that is
11 our document that we go by, and if we don't, you know, if
12 we don't abide by it, then, you know, you know, there's an
13 issue.

14 So that's what I'd like to just emphasize,
15 please, to please consider the designation report and do
16 not split these features. Thank you.

17 MR. MENENDEZ: Okay. Thank you. Anyone in
18 the audience who would like to speak in opposition to this
19 case?

20 Okay. We'll close out the public hearing
21 portion. Any discussion, questions?

22 MS. ROLANDO: I know a number of you were
23 able to visit the site. Some of the features that -- and
24 I'm usually very deferential to the staff report and
25 recommendations.

1 There's a few of the things that the staff
2 has recommended be preserved that I don't feel strongly
3 about. You know, the rusted-out tub with the coral rock
4 around it, I would not throw myself in front of the
5 bulldozer for that, or the circle of rocks.

6 I feel strongly about the gazebo, and I think
7 either severing it at the property line or a few feet
8 set-back and building a wall there would be a positive
9 thing because you wouldn't be disrupting the existing
10 structure and you'd figure out some way to stabilize it
11 structurally.

12 I was kind of wondering how the beam across,
13 above the opening for the window was staying there, but
14 you know, I didn't get real close to it.

15 I do feel strongly about the gazebo, and I
16 think the fire pit, slash, fireplace is a wonderful
17 feature, and I'm not really in favor of moving that. I
18 think any creative architect can plan around it and design
19 around it.

20 So you know, the pond, I can't get excited
21 about one way or another, but you know, I'm willing to
22 accept the staff recommendations on the pond, but I don't
23 think it's life or death.

24 The gazebo, though, and the fire pit I think
25 are significant architectural features, and they're very

1 charming, you know. They're, it's, you think, when you
2 come upon it, you think, "Oh, gee, this is like a movie of
3 some sort, you know, it's Indiana Jones."

4 So I would respectfully request that this
5 board consider the fire pit remaining.

6 MR. ADAMS: And bear in mind, any of the
7 smaller, more insignificant features, the applicant can
8 come back to you, back to you in the future, so I agree,
9 they are smaller and more insignificant features.

10 The attempt was to try and keep everything
11 that was not on a lot that was going to be developed
12 because it doesn't appear to be as affected by that
13 section in the code, so that was what, that was what the
14 thinking was behind recommending the retention.

15 MR. FULLERTON: I understand what the
16 applicant's concerns is about selling property and working
17 around it, but if you're able to open the driveways on the
18 two ends, you could arrange those two homes so that that
19 fire pit is a feature of both of them. They could have
20 porches looking out at them or so forth.

21 MS. SPAIN: Or it's on one property. I don't
22 know where that line ends.

23 MR. FULLERTON: Well, it appears to be
24 included in the north lot.

25 MS. SPAIN: In the north one, right.

1 MR. ADAMS: Yes.

2 MS. SPAIN: So that's just an amenity that
3 they have.

4 MR. FULLERTON: Yes.

5 MS. SPAIN: That's just a quirkiness of, you
6 know, "Oh, not only do you get a lot, but you get this
7 amazingly cool fire pit."

8 MR. FULLERTON: And if you put the
9 entrance --

10 MS. ROLANDO: And the weird gazebo.

11 MS. SPAIN: And the weird gazebo in the back.
12 How cool is that?

13 MS. ROLANDO: Two for the price of one.

14 MS. SPAIN: Yes, I'd buy it.

15 MR. FULLERTON: And if you place the entrance
16 drives on the north and south, you can orient the homes
17 that way and put a circular driveway and which would allow
18 a U-turn or turn, turn around on both, on the north side
19 and on the extreme south side.

20 UNIDENTIFIED SPEAKER: (Inaudible).

21 MR. FULLERTON: Yes, that's right.

22 THE COURT REPORTER: I didn't hear you.

23 MR. FULLERTON: I want that lot.

24 THE COURT REPORTER: I didn't hear what you
25 said.

1 MR. COMAS: The north lot gets both the
2 grotto --

3 MS. LYONS: Sir, can you step up to the
4 microphone, please?

5 MR. COMAS: The north lot gets the grotto and
6 the fire pit --

7 MS. SPAIN: And the fire pit.

8 MR. COMAS: -- if they stay.

9 MR. FULLERTON: Yes.

10 MS. SPAIN: They will.

11 MR. COMAS: Yes.

12 MR. MENENDEZ: Okay. So can I get a motion
13 from somebody?

14 MR. COMAS: But that may make things a little
15 bit difficult.

16 MR. FULLERTON: Yes, I know. The architects
17 can be very creative when they need to be.

18 MR. COMAS: They can be.

19 MR. FULLERTON: And I think that big fat tree
20 ought to remain there too.

21 MS. ROLANDO: Let me just ask, what is the
22 sense of the board about the fire pit?

23 MS. SPAIN: Are you taking a little poll here
24 before you make a motion?

25 MS. ROLANDO: Yes, yes. You know, let's like

1 edit in advance.

2 MS. SPAIN: I would like it to stay.

3 MR. FULLERTON: I would like it to stay. I
4 hope we're not --

5 MR. INFANTE: We can do that.

6 MS. ROLANDO: Bruce?

7 MR. FULLERTON: -- making it an extreme
8 difficulty.

9 MR. EHRENHAFT: I'm sorry. I would like -- I
10 don't think the mic is working. I would like it to stay
11 in situ if possible, but that would be a matter of who
12 your buyer would be or who likes that lot.

13 I have a question. Is it conceivable that
14 you might find the perfect buyer who would buy both of
15 those lots? If that, I mean, if that happened, that would
16 make -- and if you had a purchaser for the northwest lot,
17 the two portions, and they were adamant that they were not
18 going to buy it unless the fire pit were gone, then you
19 have committed to working with stone masons that are
20 experienced and your landscape architect, and you would
21 move it to your property which is on the east side.

22 MR. INFANTE: That's correct. That was my
23 whole intention.

24 MS. ROLANDO: Albert, the motion.

25 MR. MENENDEZ: Please, please approach, come

1 to the podium.

2 MR. INFANTE: I apologize. Yes, that would
3 be the idea, and I do have already two contractors that
4 specialize in coral rocks.

5 MR. EHRENHAFT: Okay, but my preference would
6 be that if you find a buyer for that lot, that it be left
7 in situ and not disturbed.

8 MR. INFANTE: If it's possible, if it's
9 possible, I think.

10 MR. MENENDEZ: Okay. Miss Rolando would like
11 to make a motion.

12 MS. ROLANDO: Okay.

13 MR. ADAMS: It may help if we just go through
14 them, numbered one -- you know, go through them one at a
15 time and give your recommendation; in other words, "Must
16 remain," "Can be removed," "Can be altered," you know,
17 whatever you feel best.

18 MS. ROLANDO: Okay.

19 MR. ADAMS: But maybe if we go through them
20 one at a time.

21 MS. ROLANDO: Okay. Let's see. I would -- I
22 move, okay, first of all, that any motion is subject to
23 the staff's conditions, and I would move for the retention
24 in situ and restoration -- no, the alteration of the
25 gazebo by dismantling the small sections of the gazebo

1 where it intersects with the existing garage or auxiliary
2 structure so that all of the gazebo would be located
3 within the northwest lot.

4 I would also move for retention of the coral
5 rock fire pit, and as to the other landscaping features,
6 that the retention and restoration be subject to staff's
7 approval and they be optional, whether they remain or not.

8 Or do you want me -- let's say -- let me
9 amend that. We'll okay the removal of the steps, curved
10 rock path borders, the broken concrete walkway which is
11 dangerous, the coral rock path border, the coral rock,
12 both Nine, Ten and Eleven, so okay the removal of Five,
13 Six, Seven, Nine, Ten and Eleven.

14 MR. MENENDEZ: What about the pond?

15 MS. SPAIN: What about the restoration of the
16 pond, the coral rock circle and the --

17 MS. ROLANDO: See, I would leave that up to
18 staff, but I have no problem saying that they would remain
19 in situ and be restored if that's the sense of the board.

20 MR. FULLERTON: Well, the coral rock pond is
21 on your property, right?

22 MR. INFANTE: Yes, sir.

23 MR. FULLERTON: So it's not even on --

24 MS. ROLANDO: Yes. This is -- but it's
25 shallow, and some of it is concrete and some of it is

1 coral rock, so it's -- and I don't see how it holds water.

2 MR. FULLERTON: Well, I don't think it
3 matters. I think if they want to do, come back to us with
4 what they want to do with that, that's one thing.

5 I'm concerned what's happening on the
6 property that he's going to sell.

7 MS. ROLANDO: So then why don't we say
8 retention in situ and restoration of the pond --

9 MS. SPAIN: Yes.

10 MS. ROLANDO: -- and leave it at that?

11 MR. FULLERTON: Okay, and then --

12 MS. ROLANDO: But the coral rock circle and
13 the coral rock surrounding the water basin, I don't -- I
14 would authorize the removal of those.

15 MR. FULLERTON: But retaining the coral rock.

16 MS. ROLANDO: Absolutely, retaining and
17 reusing all of the materials.

18 MR. MENENDEZ: Okay.

19 MR. FULLERTON: Right.

20 MS. ROLANDO: Should I try recapping that
21 again?

22 MS. BACHE-WIIG: No.

23 MS. SPAIN: No.

24 MS. KAUTZ: No.

25 MR. MENENDEZ: Do we have a second?

1 MR. FULLERTON: Second, I'll second.
2 MR. MENENDEZ: Mr. Fullerton seconds.
3 MS. ROLANDO: Whatever.
4 MR. FULLERTON: Whatever she said.
5 MS. LYONS: Mr. Durana?
6 MR. DURANA: Yes.
7 MS. LYONS: Mr. Ehrenhaft?
8 MR. EHRENHAFT: Yes.
9 MS. LYONS: Miss Spain?
10 MS. SPAIN: Yes.
11 MS. LYONS: Mr. Fullerton?
12 MR. FULLERTON: Yes.
13 MS. LYONS: Miss Bache-Wiig?
14 MS. BACHE-WIIG: Yes.
15 MS. LYONS: Miss Rolando?
16 MS. ROLANDO: Yes.
17 MS. LYONS: Mr. Menendez?
18 MR. MENENDEZ: Yes.
19 MS. LYONS: Motion passes.
20 MR. MENENDEZ: Okay.
21 MR. FULLERTON: I'm very excited about it.
22 MR. INFANTE: Thank you, thank you.
23 MR. FULLERTON: And appreciate your attitude
24 toward the whole thing.
25 MR. INFANTE: When it's all done, we'll have

1 a roast pig or something.

2 MR. FULLERTON: I'd like to come over --

3 MR. INFANTE: Thank you so much.

4 MS. ROLANDO: Good luck.

5 MR. INFANTE: Good night.

6 MR. FULLERTON: I'd like to come over -- is
7 it okay if I come over and walk -- I wasn't there to visit
8 the site.

9 MR. INFANTE: Anytime, anytime, sir.

10 MR. FULLERTON: Is somebody there most of the
11 time?

12 MR. INFANTE: No, but he has my number.

13 MR. FULLERTON: Oh, okay.

14 MR. INFANTE: And you know, you can reach out
15 to me and I'll be happy to walk you through.

16 MR. MENENDEZ: Charge him. Thank you.

17 MR. INFANTE: Good night, everybody. Thank
18 you.

19 MR. MENENDEZ: Good night. The next case
20 file is Case File COA (SP) 2017-025, revised, an
21 application for the issuance of a special certificate of
22 appropriateness for the property at 4200 Granada
23 Boulevard, a local historic landmark legally described as
24 Lots 10 and 11, Block 99, Coral Gables Country Club
25 Section Part Five, according to the plat thereof, as

1 recorded in Plat Book 23 at Page 55 of the public records
2 of Miami-Dade County, Florida.

3 The application requesting design approval
4 for an addition and alterations to the residence was
5 granted approval with conditions on February 15th, 2018.

6 This application requests after-the-fact
7 design approval for a revision to the approved certificate
8 of appropriateness due to a deviation from the
9 previously-approved plans.

10 MR. ADAMS: Okay. This application was
11 actually at the prior meeting, it was before the board at
12 the prior meeting, and at that time the applicant was
13 directed to amend the design and bring it back to the
14 board.

15 The applicant felt that he could amend the
16 design and still not get board approval. He was not in a
17 position to appeal the decision of the board because a
18 denial wasn't actually given. He was just told that he
19 had to go away and come back with a new design.

20 So basically this is for the after-the-fact
21 design approval for deviations from previously-approved
22 plans for an increase in the height of the elevator tower,
23 amended design for the stairs in the south elevation of
24 the addition.

25 And there was also a request for approval for

1 a change of design of previously-approval railings and for
2 a natural limestone finish to the front of the addition at
3 the first floor, the first floor.

4 So the previously-approved plans included the
5 construction of a new elevator tower as part of the new
6 two-story addition on the east elevation. The approved
7 elevator tower was depicted as having no impact on the
8 elevation, and no part of the tower was intended to rise
9 above the roof line per the applicant's letter of intent.

10 During construction, it was determined the
11 elevator required a higher travel above the second floor
12 than had been designated in the plans. The height
13 required by the elevator equipment resulted in the
14 elevator shaft protruding above the roof, and then on top
15 of the shaft at the moment is a pyramidal roof structure
16 as well which also adds to the height.

17 So as I said, all of this was reviewed by the
18 board previously. The applicant didn't feel that there
19 was direction in what he had to bring back, and he did not
20 have a decision that was appealable to the city
21 commission, so he's appearing before you again to request
22 again the recommendation made by staff in the previous
23 report, and so I'll let him, I'll let him take it from
24 here.

25 MR. MENENDEZ: Mr. Asrani, have you been

1 sworn in?

2 MR. ASRANI: No, but I'm glad to.

3 (Thereupon, Mr. Asrani was duly sworn on oath.)

4 MR. ASRANI: Good evening, Mr. Chairman, and
5 ladies and gentlemen.

6 Unfortunately, this is not as interesting as
7 lychee trees and mango trees and the other application
8 that you approved, but it is, however, something that is
9 five years into the making.

10 My wife and I have owned this house for about
11 12 years, and five years ago we filed an application to
12 install an elevator because of the challenge that a
13 two-story house poses when you get a certain age, so at
14 that point we received a certificate of appropriateness
15 from the board and the staff.

16 Unfortunately for us and to make matters
17 worse, we had hired someone who represented himself as an
18 architect and designer. Unbeknownst to us, he was not an
19 architect, and so we became victims of his incompetence,
20 and now we are having to pay the price for all the
21 mistakes he made. Until this day, we don't know who
22 signed off on the drawings.

23 During the course of construction and when
24 the tie beams were being placed, he realized that the
25 two-story elevator in a standard cab height and its

1 equipment would not fit into the existing height of the
2 house, so he told the general contractor to raise the
3 height of the elevator shaft.

4 He did not make any attempt to consult with
5 the staff or leave alone make an application to get
6 another certificate of appropriateness.

7 So at the October 20th meeting, we were
8 chastised for this transgression and perhaps rightfully
9 so.

10 On the other hand, you're fully aware of the
11 fact that any building that has been approved will have
12 some alterations or changes that occur during the course
13 of construction, and the process starts you off from the
14 very beginning if you want to make those changes, so it's
15 not possible, practically speaking, to just stop all
16 construction and start this process all over again to get
17 prior permission. That's the practical end of things.

18 On the October the 20th meeting, the staff
19 had recommended approval of the changes we wished to make
20 in conjunction with them. Mr. Adams had visited the site
21 twice since and noted the shaft, that the shaft and its
22 roof were not visible on three sides of the shaft and was
23 barely visible from the street.

24 Technically speaking, we got the approval for
25 appropriateness based on the fact that the front entrance

1 to house is to the west on the waterway, and that's an
2 important point to note.

3 At this point the elevator is in its place,
4 and there's no substantive structure changes that can be
5 made without acute hardship.

6 We didn't want to come back, as Mr. Adams
7 mentioned, because we had no guidance and there was no
8 certainty that the board would entertain any other option
9 that we might have.

10 So therefore I urge the board to approve the
11 changes as presented at the last meeting, and you have my
12 word that we will do everything possible so we stay true
13 to form and that the elevator shaft conforms to the
14 architectural facade of the house.

15 We value the significance of this house, so
16 please do not punish us for the mistakes made due to
17 circumstances that were beyond our control. Thank you.

18 MR. MENENDEZ: Mr. Adams, you've been to the
19 site several times?

20 MR. ADAMS: I've been twice.

21 MR. FULLERTON: Have you been able to observe
22 the equipment on the, above the cab?

23 MR. ADAMS: I have not seen the equipment,
24 no.

25 MR. FULLERTON: I'd love to get a picture of

1 what's above the cab to see how much space really is
2 necessary for the mechanical equipment.

3 MR. ASRANI: What we placed on top
4 of the shaft --

5 MR. FULLERTON: Right.

6 MR. ASRANI: -- is the motor and some other
7 technical equipment, enough room for a technician to come
8 and service the elevator. It has to have by code enough
9 room to be able to get in and service the elevator.

10 MR. FULLERTON: Do they have to stand up in
11 there, or can they crawl around?

12 MS. SPAIN: That's not very -- I have an
13 elevator in my home, and it's really not very much space.
14 It's an amazingly small space that they were able to get
15 into to service the elevators.

16 MR. FULLERTON: Yes, yes.

17 MR. ASRANI: We didn't go up any more than
18 what we had to.

19 MR. FULLERTON: Do you have any photographs
20 of the space?

21 MR. ASRANI: I don't, I don't have any
22 photographs. I do have photographs of the shaft itself,
23 but I show you that it will not, it was not intended to go
24 anywhere beyond, as a matter of fact, we had to really be
25 very cautious to make sure that we don't exceed what we

1 need to service the elevator.

2 MR. FULLERTON: I feel for you, and I feel
3 terrible that these people have taken advantage of you in
4 such a way.

5 But it bothers me that something so radical
6 could have been built without somebody seeing what was
7 going on, you particularly, and I know, you know, I feel
8 badly for you, but I don't know what to say about it. I
9 mean, it's certainly --

10 MR. ASRANI: A regular --

11 MR. FULLERTON: If it was built that way, I'd
12 say, "Okay, it looks okay," but it wasn't intend to or
13 shown to be built like that.

14 MR. ASRANI: Unfortunately, because of the
15 inexperience of the architect --

16 MR. FULLERTON: Brito, Brito?

17 MR. ASRANI: I didn't want to mention his
18 name. Yes, it is.

19 MR. FULLERTON: Mr. Brito is quite an
20 experienced architect, as far as I remember.

21 MS. SPAIN: I don't think he's registered.

22 MR. FULLERTON: Huh?

23 MS. SPAIN: I don't think he's registered.

24 MR. FULLERTON: He's not registered.

25 MR. ASRANI: I'm sorry, I'm losing my voice.

1 MR. FULLERTON: This isn't Romero Brito, the
2 artist?

3 MS. ROLANDO: No.

4 MR. ASRANI: No.

5 MS. SPAIN: Can I ask one question? Why has
6 this not been to the board of architects?

7 MR. ASRANI: I beg your pardon?

8 MS. SPAIN: I mean, it's supposed to go to
9 the board of architects before us, and I was looking for
10 the recommendation of the board of architects, because I
11 can't imagine that they would approve it if they saw this,
12 and because it's coming to us without the board of
13 architects seeing it, it falls all on us.

14 MR. FULLERTON: Yes, but I've been on the
15 board of architects, and there are 80 applications --

16 MS. SPAIN: I understand.

17 MR. FULLERTON: -- for two or three, groups
18 of two or three guys, and something like this, say, "Hey,
19 it looks about the same as the other stuff," you know, it
20 would squeak by.

21 MS. SPAIN: No, I don't think they would do
22 that for this one, and at least it should have been, gone
23 to the city architect to get --

24 MR. FULLERTON: Oh, yes. That's where it
25 would have been -- yes.

1 MS. SPAIN: I mean, they could easily have
2 looked at it and we could have had their recommendation.

3 MR. FULLERTON: Yes, yes, good point.

4 MR. ASRANI: We got the original approval for
5 the elevator without realizing that there wasn't enough
6 room to put the elevator in, so if we had come before
7 you --

8 MS. SPAIN: It doesn't take that much room
9 for an elevator. We have a two-story home, and our
10 elevator does not go above the roof, which is a flat roof.

11 MR. ASRANI: It has, it has a standard cab, a
12 standard six-foot, eight-inch door, so if you take a
13 standard cab and you take into account what it needs to
14 traverse itself, it was hitting the tie beam so we had to
15 go beyond that to accommodate the elevator.

16 MS. SPAIN: I'm sure that's the case. I'm
17 just telling you it's not the case in my own home. I have
18 no knowledge on elevators.

19 I only know that the one we have, it doesn't
20 go above the flat roof that we have. There's no attic
21 space. It's a concrete roof.

22 MR. FULLERTON: And access to it by
23 maintenance people, is that --

24 MS. SPAIN: The side, there's a laundry room
25 next to it and there's an opening in the side, and they go

1 through there.

2 MR. FULLERTON: Well, this goes up as a
3 tower.

4 MS. SPAIN: Right.

5 MR. FULLERTON: So the access has to go,
6 because it's above the roof, it has to go in not from
7 another room.

8 MS. SPAIN: Right, right, right, right.

9 MR. FULLERTON: But still there's not
10 enough --

11 MS. SPAIN: But originally, I'm saying
12 originally the design would have been able to incorporate
13 that.

14 MR. FULLERTON: Of course, of course.

15 MR. ASRANI: The cab is seven feet, two
16 inches, and the door to the entrance to the cab is six
17 foot eight, and it does not work.

18 MS. SPAIN: Well, you should have looked at
19 another manufacturer of elevators. I don't know.

20 MR. FULLERTON: Well, I'm not debating you
21 because, you know, I think you're right, but if this --

22 MS. SPAIN: It doesn't help him now.

23 MR. FULLERTON: Yes. If the contractor just
24 said, "Well, we're getting this elevator and whatever
25 happens, happens," see, he's not helping you and he's

1 putting you in a bad position, he ought to be responsible.

2 MR. ASRANI: Well, it's easy to say things in
3 hindsight, really, but practically speaking, you're stuck
4 with it.

5 MR. FULLERTON: No, but if he had done
6 something egregious as that that cost you money, I would
7 sue the guy. You could do that.

8 MR. ASRANI: I'm at a disadvantage. I signed
9 the contract with my name on it.

10 MR. FULLERTON: Yes.

11 MR. ASRANI: And if I sue, I'm going to sue
12 Herbert Brito --

13 MR. FULLERTON: Exactly. He drew it --

14 MR. ASRANI: -- as LLC.

15 MR. FULLERTON: -- he drew it the way it
16 wouldn't have been approved.

17 MR. ASRANI: From what I hear, he has
18 dissolved that corporation.

19 MR. FULLERTON: Well, I don't know.

20 MR. MENENDEZ: Well, Mr. Ehrenhaft, do you
21 have something to say?

22 MR. EHRENHAFT: I just have one essential
23 question. It's very late in the game, so, to get this
24 done, so when the property owner is advised by his
25 consultant, be it an architect or designer or whatever,

1 whatever profession, that the plan would not work, I don't
2 understand why at that moment things did not stop in their
3 tracks and not -- and forego building the shaft higher.

4 MR. FULLERTON: Right.

5 MR. EHRENHAFT: They needed to come back to
6 the city immediately with that. Instead, they simply
7 proceeded with the construction without saying anything,
8 okay, and now here we are five years later. Okay?

9 MR. MENENDEZ: Is the construction complete?

10 MR. ASRANI: The finishes are being done as
11 we speak.

12 MR. MENENDEZ: So have you closed out the
13 permit?

14 MR. ASRANI: No, not yet.

15 MR. MENENDEZ: Not yet?

16 MR. ASRANI: Not yet.

17 MR. MENENDEZ: I'm surprised that this wasn't
18 caught by an inspector at some point.

19 MR. ADAMS: Yes. It was actually Mr. Asrani
20 that contacted us and said, "I think you need to come out
21 and look at this."

22 MR. MENENDEZ: Well, what can we do here?
23 How can we help him and --

24 MR. ASRANI: Well, at this point, as I
25 mentioned, the hardship involved, and I've consulted with

1 the elevator company, and trying to displace the roof, the
2 dust, the elements, it's just -- and besides we are both
3 using the elevator.

4 I remember having met Kara and explained to
5 her that my wife was having trouble with her knees. That
6 was five years ago, and now when we actually can get to
7 use the elevator, we are stuck, and really for no fault of
8 ours. It was not done with intentions otherwise. I mean,
9 why would we even go there?

10 MR. FULLERTON: Yes. I feel badly for you,
11 you know. It's a shame.

12 If we deny this, they then can go to the city
13 commission and get relief?

14 MR. ADAMS: Yes.

15 MS. SPAIN: And appeal it to the city
16 commission.

17 MR. FULLERTON: Huh?

18 MS. SPAIN: They can appeal it to the city
19 commission.

20 MR. FULLERTON: That's what I mean.

21 MS. SPAIN: And the city commission --

22 MR. FULLERTON: Yes. The city commission
23 would then look at this maybe with a more sympathetic
24 approach. I don't know.

25 I'd hate to suggest that we're going to just

1 say no to you, but maybe the city commission can make the
2 judgment.

3 MS. BACHE-WIIG: Mr. Chairman, I have a
4 question.

5 Last time we looked at this, didn't we talk
6 about them coming back with some studies about what that
7 would look like as a flat roof?

8 MR. MENENDEZ: We did, and I think
9 Mr. Garcia-Pons requested --

10 MS. BACHE-WIIG: Okay, yes.

11 MR. MENENDEZ: -- requested, you know --

12 MS. BACHE-WIIG: Right.

13 MR. MENENDEZ: -- some --

14 MS. BACHE-WIIG: So has that occurred? Has
15 that taken place?

16 MR. ASRANI: As I had mentioned to you, and
17 this is for me repetition, I think the impression I get is
18 that we're being chastised because we did this without
19 permission, and I've explained the circumstances to him as
20 to how this ended up happening.

21 And it's not so easy to just stop
22 construction when it's raining. By the time he realized
23 what had happened, it was too late.

24 It wasn't the general contractor's fault. He
25 was going according to the instructions of the architect,

1 the so-called architect, and now we're stuck with it, and
2 I wish you would reconsider your decision and approve it.

3 We will try and mitigate any invasive
4 features that you think it might have in conjunction with
5 the staff. He's gone and looked at it. If anyone else
6 wants to look at it, by all means, please take a look at
7 it.

8 I can take pictures of the equipment if you
9 wish. As a matter of fact, I should have brought the
10 catalogue to the elevator with me.

11 MR. MENENDEZ: That would have helped.

12 MR. ASRANI: So like I said, we've reached a
13 point where having a historic house is -- we've owned
14 several historic homes during our lifetime, and we still
15 do, so we've stayed true to form. We spared no effort in
16 making sure that it stays true to form, but in this case,
17 it's one of those things that happened, and now we have no
18 control over.

19 MS. ROLANDO: Let me ask, I was not at the
20 last meeting, what is your objection to coming back with
21 an alternative to the problem is less intrusive?

22 Because you have a spectacular house, and
23 this is really like a giant pimple sitting on the nose of
24 this beautiful building.

25 So you know, I get that you don't want to

1 consider other things, but why not?

2 MR. ASRANI: We will mitigate.

3 MS. ROLANDO: How do you mitigate?

4 MR. ASRANI: Okay, so we put a stone band
5 around it, okay. We put a trellis so the bougainvillea
6 takes over the shaft all together. The rest of the house
7 has a lot of bougainvillea which has gone on top of the
8 roof.

9 MS. ROLANDO: So you're basically saying you
10 don't want to do anything but disguise it.

11 MR. ASRANI: It's difficult.

12 MS. ROLANDO: Pardon?

13 MR. ASRANI: It's difficult. It's a lot of
14 hardship and expense involved.

15 MR. FULLERTON: You know, it kind of bothers
16 me a little bit that we are the bad guys now.

17 MS. ROLANDO: Yes, exactly.

18 MR. FULLERTON: And we didn't -- we're not
19 the bad guys. Your architect and contractor are the bad
20 guys because you did something -- you allowed something to
21 happen that was against what we had approved.

22 We gave you approval to do this, and you came
23 back and did complete, something completely different.

24 MR. ASRANI: Had we approached this thing in
25 the very beginning, you would be hard-pressed not to

1 approve it.

2 MR. FULLERTON: Well, if you had done this,
3 we would have approved, so.

4 MR. ASRANI: So we need an elevator, and --

5 MR. FULLERTON: There are many elevators,
6 sir. I mean, there is a hydraulic elevator that has
7 nothing on the roof, and they're used all the time in
8 residential uses.

9 I'm sorry, but the facts are there. I mean,
10 we approved something that was usable, and you came back
11 with something completely different.

12 MR. ASRANI: If you want, I can bring the
13 gentleman from the elevator company who will tell you it
14 was not possible to install that elevator, it was not
15 possible to install the elevator.

16 MR. FULLERTON: Well, that's when you were
17 negotiating with him, you should have come back to the
18 city and said, "I'm sorry, but I cannot put the elevator
19 in this design."

20 MR. ASRANI: And you would have said no.

21 MR. FULLERTON: No, not necessarily. We
22 would have looked for a solution that wasn't quite as
23 obtrusive as what you put in. I'm sorry.

24 MR. ASRANI: The only elevator I can put in
25 that house or could have put are the suction elevators

1 they make which are located in the house.

2 MR. FULLERTON: Tell me that again.

3 MR. ASRANI: They make elevators that work on
4 vacuum. You get into the glass elevator.

5 MR. FULLERTON: Oh, I know what --

6 MR. ASRANI: And it sucks you up.

7 MR. FULLERTON: Right, and?

8 MR. FULLERTON: I refused to do that.

9 MR. FULLERTON: Okay. There's a hydraulic
10 elevator. It has a thing on the ground that goes up like
11 that, pushes the elevator up and brings it back down, very
12 usable.

13 It's the box on top of a post, and there's
14 nothing on top of it. All the mechanical equipment is
15 downstairs where you can get at it. I mean, there are
16 alternatives that your contractor could have gone to you
17 and said, "Look, we can't put this one in, but we can put
18 this one in."

19 MR. ASRANI: Well, the hindsight is always
20 late to you.

21 MR. FULLERTON: Well, you're putting us in a
22 bad position, sir.

23 MR. ASRANI: Like I said, I would urge you to
24 reconsider it, approve it, so we can go on with this thing
25 rather than keep coming back to you. I'll work with the

1 staff to see what we can do about the roof, and it's not
2 visible from three sides.

3 The front of the house is to the west on the
4 lake. It's not on the street. That's a legal issue.

5 MS. ROLANDO: That's a somewhat deceptive
6 approach, because how many people approach the home from
7 the lake or the water?

8 MR. ASRANI: In those days, they had canoes.

9 MS. ROLANDO: No. I think that you should
10 honor the request of the board from last meeting and come
11 back with an alternative --

12 MR. FULLERTON: To be honest with you --

13 MS. ROLANDO: -- to deal with the objection.

14 MR. FULLERTON: I'm sorry for interrupting.

15 MS. ROLANDO: Go ahead.

16 MR. FULLERTON: But to be honest with you, I
17 don't think there's anything that can be done to that
18 other than bringing it down about five feet or more. I
19 mean, I'd rather have this than a big wall there.

20 MR. ASRANI: Well, that's the other
21 alternative, is to just take the roof off all together,
22 put a flat roof.

23 MR. FULLERTON: No. I don't think that's --

24 MR. ASRANI: I think it's going to look
25 really ugly.

1 MR. FULLERTON: I think that's --

2 MS. ROLANDO: I think that's less obscene.

3 MR. FULLERTON: Less obscene?

4 MS. ROLANDO: Obscene. At least it
5 disappears. This becomes a feature.

6 MR. ASRANI: When we get done with this --

7 MS. BACHE-WIIG: Well, it's just how you're
8 going to finish the tile. It's going to look like that
9 mushroom, you know, result.

10 MR. ASRANI: When we get done, when we get
11 done with this elevator, this is a matter of perception,
12 like a glass of wine. You will totally change your view.
13 As I said, you know, I'm not the one who tries to
14 bastardize a historic house. It's not us.

15 MR. DURANA: Somebody did it for you.

16 MR. MENENDEZ: Mr. Adams.

17 MR. ADAMS: Yes.

18 MR. MENENDEZ: Is the tower to code, or is it
19 not to code?

20 MR. ADAMS: I don't believe it's been -- it's
21 not been inspected yet, has it, the tower? Has it been
22 inspected?

23 MR. ASRANI: All the structural inspections
24 have taken place. They're all done.

25 MR. DURANA: I think what he's saying is you

1 may have a problem when you do your final elevation
2 certificate if your rooftop is a certain height. It's not
3 just Historic. You might have a problem later on with
4 zoning or something later. I think that's what he's
5 alluding to.

6 MR. ASRANI: Well, we'll handle it when that
7 occurs, I mean.

8 MR. MENENDEZ: And this still has to go to
9 the board of architects, is what this says, correct?

10 MR. ADAMS: Well, the impression was the
11 design would be changed, and then it could go to board of
12 architects and then come to the board, but the applicant
13 was not willing to change the design, so.

14 MR. ASRANI: Well, as you said, a flat roof
15 would be worse than what it looks like.

16 MS. ROLANDO: I don't think so necessarily.
17 Some people may, but I think that you -- there's, clearly
18 there is an objection to what is there. It doesn't comply
19 with the plans.

20 I understand in-the-field conditions, we're
21 finding out that there is an issue because of, real or
22 imagined, because of this elevator issue, but what's
23 there, we've given you the opportunity, we've asked you to
24 come back with an alternative.

25 MR. ASRANI: What guarantee do I have that

1 you would approve it? So I can --

2 MR. MENENDEZ: There is no guarantee.

3 MS. ROLANDO: There is no guarantee.

4 MR. ASRANI: Exactly.

5 MR. MENENDEZ: There's no guarantee.

6 MS. ROLANDO: But just because -- but you're
7 saying you don't want to do anything.

8 MR. ASRANI: I'm not saying that.

9 MS. ROLANDO: So I hear that.

10 MR. ASRANI: I just told you, Madam, that we
11 will mitigate that appearance that you don't like by
12 putting stone beading around it, putting trellises for
13 bougainvillea, that we can also install a very tall tree,
14 a cypress tree like we have 40-foot cypress trees in the
15 house right now.

16 This is nowhere near that tall. You will
17 never see it again, but it's done. There's nothing I can
18 do at this point.

19 A flat roof, I'll come back with a flat roof
20 so we'll chop it off.

21 MR. ADAMS: A question for legal: One of the
22 applicant's concern was that at the last meeting, he
23 neither got an approval nor a denial, and therefore there
24 was nothing to potentially appeal. Can the applicant
25 request a definitive decision? "I either want you to

1 approve this or deny this and not leave me" --

2 MR. CEBALLOS: Yes --

3 MR. ADAMS: So the applicant --

4 MR. CEBALLOS: -- if the applicant makes that
5 request. Right now there seems to be discussion going
6 back and forth on --

7 MR. ADAMS: Yes.

8 MR. CEBALLOS: -- whether they come back with
9 a flat roof or not, but if the applicant does not wish to
10 consider that and wants it to be what's presented is what
11 the board considers today, he has that right.

12 MR. ASRANI: I got no guidance from anyone.
13 I goaded Mr. Garcia at the last meeting without getting
14 adversarial with him. He kept on chastising us for doing
15 this, finding the contractor who was the inspector, and it
16 went on, the same discussion. There was no guidance.
17 There was no guidance from anyone.

18 The staff recommended it so we could work
19 with the staff, and because of that encounter, we're stuck
20 just going around in the same --

21 MR. MENENDEZ: Well, the guidance was to come
22 back with an alternative design or another solution.
23 That's what was in the minutes, correct?

24 MR. ADAMS: Correct, yes.

25 MR. MENENDEZ: Okay. My fear isn't this. My

1 fear is that this was constructed incorrectly, and code
2 enforcement will see it, and they could require you to
3 take it down and rebuild it.

4 MS. SPAIN: So as long as there's an open
5 permit, code enforcement is not going to cite him because
6 there's always an ability for them to come back and get it
7 approved.

8 And I had that argument with code enforcement
9 for 25 years, because I wanted people that didn't abide by
10 the plans that were approved to be cited, but they don't
11 do that. They may have changed, but when I was working
12 for the city, that didn't happen.

13 MR. CEBALLOS: If I may provide some
14 clarification, if the permit is not closed because the
15 final inspection does not take place --

16 MS. SPAIN: Right.

17 MR. CEBALLOS: -- it will eventually become
18 an expired permit. At that moment, code enforcement can
19 cite --

20 MS. SPAIN: At that moment they can.

21 MR. CEBALLOS: -- for an expired permit. At
22 that moment they can, so you can't perpetually keep a
23 permit open unless there's inspections being called for.

24 MS. SPAIN: Right.

25 MR. MENENDEZ: Right, and you can't inhabit a

1 residence without a permit, without a certificate of
2 occupancy.

3 MR. CEBALLOS: I don't know if, I don't know
4 if there's a CO that's been removed from this parcel.

5 MR. ASRANI: I wish you would find a do-able
6 solution.

7 MR. MENENDEZ: Well, we have, the way I see
8 it, one of two solutions. Either we --

9 MR. ASRANI: You've seen --

10 MR. MENENDEZ: -- either we approve it --

11 MR. ASRANI: Yeah.

12 MR. MENENDEZ: -- with the conditions set
13 forth here, or we deny it and you can appeal it. That's
14 the only, the only two options I see. Does anybody see
15 any other option?

16 MR. FULLERTON: And if the commission denies
17 it, does it come back to us?

18 MS. SPAIN: No. He goes to court if he wants
19 to, or he comes back. He can come back to us then, but.

20 MR. CEBALLOS: The commission could do one of
21 many things. They can approve it. They can deny it.
22 They can remand it back --

23 MS. SPAIN: Right.

24 MR. CEBALLOS: -- to Historic for further
25 determination.

1 In this particular case, I suspect that they
2 would either deny it or approve it.

3 MR. ASRANI: As long as you don't take a
4 prosecutorial approach to this, I think it will work out.
5 I mean, I don't know what to do with it.

6 MR. MENENDEZ: I don't know. Any ideas?

7 MR. ASRANI: Just coming back to you to
8 appease you, to make changes just for appeasement, even
9 though it looks ugly, to me it makes no sense.

10 MR. DURANA: I mean, so staff is, you guys
11 are saying approve, but for you to work with the applicant
12 to fix the solution -- I mean fix the problem.

13 MR. ADAMS: Yes. There have to be changes --

14 MR. DURANA: There what?

15 MR. ADAMS: There have to be changes to
16 what's there. The bottom line is if it's going to stay,
17 then its appearances has to be muted or more in keeping
18 with the historic structure.

19 On the other hand, if the board really
20 believes that this is incompatible, it's on the
21 street-facing elevation, it's now a feature of the house,
22 and you do not think there's a way to mitigate it to your
23 satisfaction, then maybe denial, and that would allow the
24 option to appeal, meaning, and mind, as appealed, it may
25 be approved in its current condition.

1 MR. MENENDEZ: Or denied.

2 MS. ROLANDO: Well, the only thing is in the
3 conditions, it says, "The applicant work with staff to
4 amend the design at the top of the elevator tower."

5 He's already said he doesn't want to, so
6 we're, if we approve, we are approving it with a condition
7 that he said he won't do, so we're in a Catch-22.

8 MR. ASRANI: Is it really --

9 MS. ROLANDO: So it sounds like he wants us
10 to disapprove it so he can appeal it. That's what he
11 wants.

12 MR. ADAMS: There is also, there is the
13 possibility that, you know, any suggestions made won't be,
14 won't be accepted, in which case we'll --

15 MS. ROLANDO: Well, what suggestions do you
16 have?

17 MR. ADAMS: Well, I would need to sit down
18 with him and look at it.

19 I mean, my first concern would be how low can
20 that tower be cut; in other words, can the roof come off
21 and can the height be brought down further. That would be
22 Approach Number One.

23 The second approach is how do you finish the
24 tower to, one, make it more compatible with the house; and
25 two, to try and obscure its view as much as possible.

1 But there is no guarantee that these
2 suggestions will be accepted.

3 MR. FULLERTON: Can we request the City of
4 Coral Gables building department send somebody over there
5 and look at the physical condition of the space above the
6 elevator cab and see if there's room, really room?

7 I mean, Dona has said that the equipment
8 above her elevator is nothing like -- this one is at least
9 like eight or nine feet above the ceiling of the room it
10 serves, seven or eight feet, something like that. That's
11 like a lot of space for a two-story elevator equipment.

12 MS. ROLANDO: Yes.

13 MR. ASRANI: You have five feet of the shaft.
14 You have three feet of the roof. We can bring the roof
15 down to two feet if that will help.

16 MR. FULLERTON: Wait a minute, wait a minute.
17 The elevator, let's do a little -- the floor level is
18 here.

19 MR. ASRANI: Right.

20 MR. FULLERTON: The elevator, the last
21 elevator floor is here. You got a seven foot two cab.

22 MR. ASRANI: Right.

23 MR. FULLERTON: How many feet above this do
24 you need for elevator equipment?

25 MR. ASRANI: I need about five feet.

1 MR. FULLERTON: See, that's the thing I can't
2 believe. I cannot believe you need five feet above that.

3 MR. ASRANI: So that's the shaft, the shaft
4 and then all the equipment.

5 MR. FULLERTON: Of course.

6 MR. ASRANI: There's an access door to
7 service that. There is absolutely no room above that
8 other than the roof which we can bring down. The roof is
9 three feet.

10 MR. FULLERTON: What we have right now is
11 something that looks like that with five feet between the
12 cab and the roof. Is that what we're saying?

13 And the cab is here, and there's a little
14 piece of structure here which holds all this equipment.

15 So I'd like the City of Coral Gables to send
16 a building department specialist over there and show us,
17 document what's above, how high the existing floor, this
18 bedroom floor here where the roof is here, how high above
19 this cab, what kind of space is above there and what kind
20 of space the equipment itself takes in that space.

21 MR. DURANA: Well, there's also elevator shop
22 drawings probably.

23 MR. FULLERTON: Huh?

24 MR. DURANA: Elevator shop drawings that the
25 city received.

1 MR. FULLERTON: Well, I don't know.

2 MS. SPAIN: That's true, that's absolutely
3 true.

4 MR. FULLERTON: They might show the elevator
5 itself, but not necessarily --

6 MS. SPAIN: Did we get shop drawings to the
7 elevator?

8 MR. ADAMS: I haven't seen them. Shop
9 drawings showing the elevator, the design of the elevator?

10 MS. SPAIN: No, no.

11 MR. ASRANI: We have shop drawings from the
12 elevator company.

13 MS. SPAIN: Pardon me?

14 MR. ASRANI: We have shop drawings from the
15 elevator company.

16 MS. SPAIN: And they were obviously submitted
17 to the city.

18 MR. ASRANI: They put these elevators by the
19 hundreds, and if there was a way we could have accomodated
20 that elevator without the shaft, we would have. It's not
21 the same elevator --

22 MS. SPAIN: We need to finish this somehow.

23 MR. ASRANI: You're most welcome to send
24 anyone you wish and verify what I'm saying is correct.

25 MR. FULLERTON: I'm not calling you a liar.

1 I'm just -- or questioning your veracity. I just want to
2 see what possibilities there are.

3 If this doesn't need to be, you know, if this
4 doesn't need to be up here, maybe your easy, the easy
5 solution is to take this off, bring this down three or
6 four feet, two or three, whatever you can do it, and then
7 put some sort of decorative thing around the edge and make
8 it --

9 MR. ASRANI: I hate to be repeating this
10 stuff. I keep telling you that the roof itself, the hip
11 roof is three feet above the grade. Where the elevator
12 equipment ends, the roof starts. We can bring that roof
13 down. Then it would not be so invasive.

14 MR. FULLERTON: So if we could get the shop
15 drawings or some inspector to go over there. Don't they
16 have to send inspectors to close out the permit anyway?

17 MR. ADAMS: At some point, yes.

18 MR. FULLERTON: Well, I want this gentleman
19 to be able to go home and say, "Okay, we got this worked
20 out. It's going to be this."

21 MR. ASRANI: Just don't keep me hanging.
22 Give me your directions, what will satisfy you --

23 MR. FULLERTON: Well, I think right now --

24 MR. ASRANI: -- without having to tear it all
25 down.

1 MR. FULLERTON: -- we'd have to deny you. I
2 think tonight we might have to deny you unless -- or we
3 can extend this another month and you could come back with
4 all the documentation, your shop drawings, the inspector's
5 report, photographs and so forth.

6 MR. ASRANI: Okay. I can give you anything
7 you want.

8 MR. FULLERTON: Okay.

9 MR. ASRANI: But where will that take me?

10 MR. FULLERTON: Does that make sense to
11 anybody?

12 MS. BACHE-WIIG: Yes, it makes senses to me.

13 MS. ROLANDO: Yes.

14 MR. FULLERTON: I make a motion then, to help
15 this gentleman out and to take the burden off of us a
16 little bit because this is not our fault, that we have the
17 city building department send a qualified inspector there
18 to measure, document, photograph the area in question
19 above the floor of the bedroom up to the ceiling of the
20 tower, measure it, show us what it looks like, how much
21 space the equipment is actually taking up there, and send
22 -- and give us the shop drawings from the elevator
23 company, any related documents pertaining to this space
24 and operation of this elevator that might be pertinent to
25 determining what might be possible here.

1 MR. ASRANI: So what you're saying is that
2 once you have ascertained that the space above the
3 elevator was designed to accommodate the equipment --

4 MR. FULLERTON: No more.

5 MR. ASRANI: -- not a dime more, so to
6 speak --

7 MR. FULLERTON: Okay.

8 MR. ASRANI: -- you will be satisfied at that
9 point?

10 MR. FULLERTON: Well, I'm not -- I mean, it's
11 still a pimple on the nose, I mean.

12 MS. BACHE-WIIG: I think, to your point, I
13 think it's just to understand what then is possible. Then
14 if there's nothing possible, then that's another
15 conversation.

16 MS. ROLANDO: Yes.

17 MS. BACHE-WIIG: But at this time your
18 architect or your designer hasn't come back with any of
19 this information which is what I think we asked for last
20 time.

21 MS. ROLANDO: Yes.

22 MS. BACHE-WIIG: So we have nothing to go by
23 except your testament that there's three foot above the
24 ceiling.

25 MR. ASRANI: Okay, so you have nothing to go

1 by other than what I said.

2 MS. BACHE-WIIG: Yes.

3 MR. ASRANI: I'll be happy to be corroborated
4 by an inspector and say --

5 MS. BACHE-WIIG: They're not going to
6 corroborate you. They're just going to document what is
7 there.

8 MR. ASRANI: That's what corroboration means.
9 In other words --

10 MR. FULLERTON: No, but we don't need to hear
11 it from you. I want to hear it from the city and the
12 elevator people.

13 MR. ASRANI: I can submit to Mr. Adams that
14 information.

15 MR. FULLERTON: No. I want the city to
16 independently go over there and look at it without your
17 even being in the room.

18 MR. ASRANI: And your instructions to the
19 city inspector would be, "Go and verify, make sure that
20 where the space for the equipment is no higher than the
21 need for the equipment."

22 MR. FULLERTON: Well, I want him to dimension
23 it, photograph it, prove what's there --

24 MR. ASRANI: Prove that --

25 MR. FULLERTON: -- not what you say, but

1 what's there.

2 MS. BACHE-WIIG: Just what's there.

3 MR. ASRANI: Of course.

4 MR. FULLERTON: I trust you but I just --
5 trust and verify.

6 MR. ASRANI: Believe me, this exercise is not
7 pleasant for either one of us.

8 MR. FULLERTON: Yes.

9 MR. ASRANI: You know, this is --

10 MR. FULLERTON: Especially for you. I feel
11 terrible that you, having to spend an hour arguing with us
12 about this.

13 MR. ASRANI: I just told Laura Russo on the
14 way out, I said, "Who in the world would have their mind
15 examined to have a historic home?" She said nobody.

16 MS. ROLANDO: I second your motion.

17 MS. SPAIN: Can I ask both of you to make one
18 small amendment? And that is to make sure that the design
19 that he is submitting goes to the board of architects even
20 if it's just to Juan Riesco, that's a final design unless
21 you still want to work with him --

22 MR. ADAMS: So you want, after everything is
23 documented and all the information you want, you also want
24 the current as-proposed design reviewed by Juan?

25 MS. SPAIN: I want to have it go to the board

1 of architects, I want it to have it go to the board of
2 architects before it comes to us.

3 MR. ADAMS: The current, the current design
4 as an as-built?

5 MS. SPAIN: Well, if the inspection comes
6 back and says, you know, this guy has like six feet more
7 than what he needs, then --

8 MR. DURANA: Well, then it should go to the
9 board for them to decide I think because --

10 MS. SPAIN: Even that, yes, just go to the
11 board. You're right.

12 MR. ADAMS: The current, the current --

13 MR. ASRANI: So why wouldn't --

14 THE COURT REPORTER: I need one at a time,
15 please.

16 MR. ASRANI: Sorry about that. It's three
17 feet above.

18 MS. SPAIN: Okay.

19 MR. FULLERTON: Okay.

20 MR. ASRANI: So at the most, we have three
21 feet above.

22 MR. FULLERTON: Okay. So we could then --

23 MS. ROLANDO: It looks like more than that.

24 MR. ASRANI: Make it two feet.

25 MR. FULLERTON: -- reduce it --

1 MR. MENENDEZ: Okay. So we have a motion by
2 who?

3 MS. ROLANDO: Mr. Fullerton.

4 MR. MENENDEZ: By Mr. Fullerton, and we have
5 a second by?

6 MS. ROLANDO: "Moi."

7 MR. CEBALLOS: My apologies. Pardon the
8 interruption.

9 I'm going to ask the applicant, because the
10 intention of coming to this meeting was seeking a denial
11 to move forward to what's being --- a motion is being made
12 to defer the item and a fact finding expedition to be take
13 place. Is that okay with you?

14 MR. ASRANI: As long as the guidelines for
15 approval --

16 MR. CEBALLOS: There is no condition on
17 whether they will approve it or deny it in the future.

18 They are simply making a motion to defer the
19 item to get facts from our city officials and from your
20 shop drawings so that they may consider it at a future
21 meeting.

22 There is no guarantee and no condition that
23 the board can put whether they're going to deny it or
24 approve it.

25 So I just want to make sure that the record

1 is clear that you are aware that by going through this,
2 you are then deferring again and you are not able to
3 appeal it to the city commission until they make a
4 decision.

5 MR. FULLERTON: Maybe you're better off
6 having us deny it and you go to the commission.

7 MS. LYONS: We have someone in the audience
8 on Zoom that wants to comment.

9 MR. CEBALLOS: I'm sorry, I just wanted to
10 make sure the record was clear because his original
11 request was for an appeal. We told him he couldn't appeal
12 because the board hadn't made a decision and the motion on
13 the floor right now is to defer with a fact finding
14 expedition, so I just want to make sure that he is aware.

15 MR. FULLERTON: Okay.

16 MR. ASRANI: Well, are you inclined to look
17 at that data and then maybe be inclined to approve it, or
18 are we going to go through the same exercise?

19 MR. FULLERTON: I wish I could, I wish -- I
20 mean, if it were up to me alone, I don't know, but I can't
21 speak for the board, but you know.

22 MR. DURANA: I think also if you have that
23 information, you present it. Let's say we still deny.
24 When you go to the commission, having all that information
25 when you present it to them will help you explain your

1 case better so they have a better understanding, because
2 if not, they're going to keep pushing you and pushing you
3 and pushing you.

4 MR. FULLERTON: Also if it proves what you're
5 saying --

6 MR. ASRANI: Right.

7 MR. FULLERTON: -- then you have a big case
8 to --

9 MR. DURANA: Yes, just go to the commission
10 and say, "Look" --

11 MR. ASRANI: So then if you deny it, you have
12 to be specific why you denied it, because you felt that
13 there was no need to go that high and that you feel that
14 the equipment didn't need to be there, or has to be some
15 reason.

16 MR. MENENDEZ: But we're not there yet.

17 MR. FULLERTON: Well, I think we denied it
18 because it's not built according to the plan.

19 MR. MENENDEZ: Okay. We have somebody in the
20 audience who would like to speak.

21 MR. CEBALLOS: And there was a motion with a
22 first and a second, so at some point a vote needs to be
23 taken on that particular motion.

24 MS. LYONS: I asked them to unmute. Okay,
25 they're on.

1 MR. MENENDEZ: Go ahead.

2 MS. MARTINEZ-CARBONELL: Hi. This is
3 Karelia. I am -- yes. I am -- this is Karelia.

4 I just want to offer my support to
5 Mr. Asrani. Him and his wife are, you know, just
6 wonderful neighbors and advocates of preservation.
7 They're, you know, great members of HPACG.

8 But I'm here, I'm actually a personal friend
9 as well, so I am just empathizing with what he's gone
10 through, and I understand the board's position, but you
11 know, for whatever it's worth, I know that his intentions
12 and their intentions were always to preserve the integrity
13 of the property.

14 So you know, please make your motions and
15 recommendations, but I am in solidarity with Mr. Asrani
16 and hopefully this will turn out to be a positive
17 experience at the end of everything, so thank you for
18 listening to me. Thank you.

19 MR. MENENDEZ: Thank you.

20 MR. ASRANI: Thank you, Karelia.

21 MR. MENENDEZ: Okay. We have a motion and a
22 second.

23 MS. LYONS: The motion to defer.

24 MR. FULLERTON: No. The motion was to --

25 MR. CEBALLOS: The motion --

1 MS. ROLANDO: Basically it was to defer.

2 MR. CEBALLOS: -- was to defer with a
3 particular set of requirements or requests for a fact
4 finding mission.

5 MR. FULLERTON: It was to defer.

6 MS. LYONS: Miss Spain?

7 MS. SPAIN: Yes.

8 MS. LYONS: Mr. Fullerton?

9 MR. FULLERTON: No.

10 MS. SPAIN: Aren't you being difficult.

11 MR. FULLERTON: I want to deny it so he can
12 go to the commission.

13 MR. DURANA: I mean, would you prefer to go
14 to the commission?

15 MR. ASRANI: Well, it seems like I'm trying
16 to catch my tail, so go ahead and deny it.

17 MR. MENENDEZ: Continue because we have to
18 finish this vote.

19 MS. LYONS: Miss Bache-Wiig?

20 MS. BACHE-WIIG: Yes.

21 MS. LYONS: Miss Rolando?

22 MS. ROLANDO: Yes.

23 MS. LYONS: Mr. Ehrenhaft?

24 MR. EHRENHAFT: No.

25 MS. LYONS: Mr. Durana?

1 MR. DURANA: No.

2 MS. LYONS: Mr. Menendez?

3 MR. MENENDEZ: No.

4 MS. LYONS: Okay. The motion failed.

5 MR. ASRANI: Mistrial.

6 MR. MENENDEZ: Okay.

7 MR. DURANA: I think your best option is to
8 get the shop drawings, get all that stuff and go to the
9 commission and present it.

10 MR. ASRANI: I'm happy, but --

11 MR. DURANA: I think that's going to be
12 your --

13 MR. ADAMS: Just to be clear, does someone
14 need to make a motion to deny?

15 MR. DURANA: Yes.

16 MR. FULLERTON: I move to deny the
17 applicant's request and allow him to do what he needs to
18 do to get beyond this so he can move ahead.

19 MS. SPAIN: I think he could just move to
20 deny it.

21 MR. ASRANI: Thank you, Dona Spain.

22 MR. MENENDEZ: Okay. Do we have a second?

23 MR. DURANA: Hold on.

24 MR. EHRENHAFT: I'll second.

25 MR. CEBALLOS: Just for the -- because I

1 believe that part of the motion was for them to get shop
2 drawings and all these things, if there's an appeal to the
3 city commission, the city commission appeal is not de
4 novo, meaning it's not open to new information.

5 MR. FULLERTON: Right.

6 MR. CEBALLOS: So they're going to consider
7 the information that was presented to this board, so a bit
8 of an issue if that information, you believe it's
9 paramount to the decision to be brought to the commission.

10 At the end of the day, I don't believe you
11 should deny something because you want it to go to the
12 city commission. You deny it because what's presented to
13 you, you don't agree with and you don't see a motion
14 forward, and the applicant is requesting an approval or
15 denial and you have to make that decision.

16 MR. FULLERTON: I see.

17 MS. ROLANDO: Why don't we move to approve,
18 allow the applicant to work with the city, with the
19 preservation officer, get the information, and then --

20 MR. FULLERTON: That's what we just voted
21 down.

22 MR. ASRANI: That seems a lot more palatable
23 than -- get the information from me through him.

24 MS. SPAIN: The vote was not to --

25 MR. DURANA: No. The vote was --

1 MS. ROLANDO: The vote was to deny.

2 MR. DURANA: No. The vote was to defer.

3 MS. ROLANDO: I mean to defer. That lost, so
4 the next motion needs to be either approve with the
5 conditions or deny.

6 MR. ADAMS: Or approve with new conditions.
7 You can't add conditions.

8 MS. ROLANDO: Okay, good point, good point.

9 MR. CEBALLOS: Or there could be another
10 motion for deferral, just saying.

11 MS. ROLANDO: For what, Gus?

12 MR. CEBALLOS: Deferral.

13 MS. ROLANDO: Okay. That lost, though,
14 didn't it?

15 MR. CEBALLOS: It did. I'm just saying that
16 for the deliberation, that the board has taken no action,
17 so any motion is available to you, so somebody else can
18 make a motion to defer if you deem it appropriate.

19 MR. FULLERTON: Well, the last, my motion was
20 not -- it died.

21 MR. CEBALLOS: The motion was denied. It
22 failed.

23 MR. FULLERTON: It died.

24 MR. CEBALLOS: So that means the board has
25 taken no action. That doesn't preclude the board from

1 making a similar motion for deferral.

2 MS. ROLANDO: Okay. I move for approval
3 subject to the conditions in the staff report, plus the
4 inspection by the city and the furnishing of the shop
5 drawings or the review of the shop drawings by our
6 preservation officers.

7 MS. SPAIN: I'll second that.

8 MR. ASRANI: I'm happy to negotiate the
9 situation to our mutual advantage or disadvantage.

10 MS. BACHE-WIIG: So who would then decide
11 that how much can be, you know, mitigated on the roof?

12 MR. MENENDEZ: Staff.

13 MS. ROLANDO: It's going to be staff.

14 MS. BACHE-WIIG: Okay.

15 MS. ROLANDO: And if the applicant is not
16 happy, he can come back to us.

17 MR. MENENDEZ: That's right. Okay.

18 MR. ASRANI: So then if you lay down specific
19 conditions for approval right now, which means if you're
20 satisfied that the shaft exists only for the sake of the
21 equipment that's in there, we can go forward with this.

22 MR. MENENDEZ: No. That's not what we're
23 saying. We're saying that you're going to work with
24 staff --

25 MR. ASRANI: Yes.

1 MR. MENENDEZ: -- to see if there's a
2 solution.

3 MR. ASRANI: When you said "you," meaning I
4 am.

5 MR. ADAMS: Staff will review all the
6 documents, make sure the tower and the roof and everything
7 else is lowered as much as possible, and if there's any
8 other design features that we can incorporate, you know,
9 whether it's banding or anything to have it incorporated
10 more into the house, and then that's the approach that
11 we'll take.

12 And if Mr. Asrani is not willing to do that,
13 then --

14 MS. SPAIN: Bring it back.

15 MR. ADAMS: -- he'll have to come back to
16 you.

17 MR. MENENDEZ: Okay. We have a motion --

18 MS. BACHE-WIIG: I will second Peggy's
19 motion.

20 MR. MENENDEZ: -- by Miss Rolando --

21 MS. SPAIN: I second.

22 MR. MENENDEZ: -- and a second by Miss Spain.

23 MS. ROLANDO: Alicia, did you have
24 anything --

25 MS. BACHE-WIIG: No.

1 MS. ROLANDO: -- that you wanted to add?

2 MS. BACHE-WIIG: No. I think it was
3 clarified that staff would review the findings, and if
4 they needed to come back to us, then they will.

5 MR. FULLERTON: I think we're leading him
6 down a path that we can't support in the end. I think
7 we're --

8 MS. ROLANDO: You know --

9 MR. ASRANI: As long as --

10 MR. FULLERTON: -- extending it for --

11 MS. ROLANDO: -- John, let me just say this.
12 I think right now it's the end of a long evening, and
13 we've been talking about this and talking about it.
14 You've talked about it last month as well.

15 Let's give the two smart people the
16 opportunity to sit down together, establish the existing
17 conditions, and let's give them the opportunity to have a
18 productive discussion, and I think reasonable people can
19 figure this out.

20 MR. FULLERTON: If I got this information and
21 I was standing in Mr. Asrani's shoes, I would say, "Well,
22 if it comes out the way I think it is, that my elevator is
23 just small as it can be, they're going to have to approve
24 it."

25 And that's where we are, I think, and I think

1 that's --

2 MR. ASRANI: That makes sense.

3 MR. FULLERTON: -- not an unusual or
4 unreasonable assumption on his part, so I think we're
5 leading him down to the point where it's going to be
6 another month.

7 MS. SPAIN: He doesn't have to come back to
8 us. We're saying that Warren can handle it.

9 MR. FULLERTON: Okay.

10 MS. SPAIN: He doesn't have to come back to
11 us.

12 MR. MENENDEZ: We're giving him a road to
13 resolution, is what we're doing.

14 MR. FULLERTON: Okay. So are you ready to
15 say, if it's exactly the way he says it, are you ready to
16 say, "Okay, go ahead"?

17 MR. ADAMS: If there is no room to lower the
18 tower?

19 MR. FULLERTON: Right.

20 MR. ADAMS: I may still want a change in the
21 roof design and some decorative detail added to it.

22 MR. FULLERTON: And will that have to come
23 back to us then?

24 MS. SPAIN: No.

25 MR. ADAMS: Not if you determine it doesn't.

1 MR. MENENDEZ: But it still has to go to the
2 board of architects.

3 MR. ADAMS: We can take it to the board of
4 architects for comment, and we can take the current design
5 and the amended design if that's going to make the board
6 feel more comfortable.

7 MR. MENENDEZ: Yes, okay.

8 MR. ADAMS: We can take both.

9 MR. MENENDEZ: Okay. We have a motion and a
10 second, so let's get through it.

11 MS. LYONS: Miss Spain?

12 MS. SPAIN: Yes.

13 MS. LYONS: Mr. Fullerton?

14 MR. FULLERTON: Yes.

15 MS. LYONS: Miss Bache-Wiig, Miss Bache-Wiig?

16 MS. BACHE-WIIG: No, I'm going to say no.

17 MS. LYONS: Mr. Durana?

18 MR. DURANA: Yes.

19 MS. LYONS: Mr. Ehrenhaft?

20 MR. EHRENHAFT: Yes.

21 MS. LYONS: Miss Rolando?

22 MS. ROLANDO: Yes.

23 MS. LYONS: Mr. Menendez?

24 MR. MENENDEZ: Yes.

25 MS. LYONS: Motion passes.

1 MR. MENENDEZ: Okay.

2 MR. ASRANI: Would anyone like to join me for
3 a drink?

4 MR. MENENDEZ: Before. Okay, the last case
5 file of the evening.

6 MR. FULLERTON: Thanks for your patience.

7 MR. MENENDEZ: Case File COA (SP) 2015-015,
8 revised, an application for the issuance of a special
9 certificate of appropriateness for the property at 6801
10 Granada Boulevard, a local historic landmark legally
11 described as Lot One, Block One, Cartee Homestead II,
12 according to the plat thereof as recorded in Plat Book 170
13 at Page 88 of the public records of Miami-Dade County,
14 Florida.

15 The application requesting design approval
16 for addition and alterations to the residence and the
17 relocation of the swimming pool was approved with
18 conditions on January 21st, 2016.

19 An application requesting after-the-fact
20 design approval for revisions to the approved certificate
21 of appropriateness due to deviations from the
22 previously-approved plans was denied by the Historic
23 Preservation Board on April 21st, 2021.

24 This application again requests
25 after-the-fact design approval for a revision to the

1 approved certificate of appropriateness due to deviations
2 from the previously-approved plan.

3 MR. ADAMS: And this application was before
4 you several months ago, and can we have the Power Point,
5 please?

6 This is the location of the property here at
7 the intersection of the two waterways. In the current
8 application, the applicant is requesting design approval
9 for replacement of existing mahogany louvers, replacement
10 of exterior doors and windows, lowering of the first floor
11 at the northwest corner of the property, and raising of
12 the 1984 roof at the southeast corner of the property.

13 Now, though not identified in the letter of
14 intent, I did want to bring it to the board's attention
15 that many of the after-the-fact alterations that the board
16 denied in the last application have been requested, and so
17 I felt it only right to bring them back to you, one, to
18 show that the applicant was making the effort to redress
19 some of the things that the board had concerns with.

20 And number two, just to, you know, get the
21 board's okay for them because some of the work had been
22 done was the removal or changing of significant features.

23 So with regard to Item Number One, the
24 applicant wishes to replace mahogany louvers. The
25 original Persiana louver system was one of Parker's

1 signature features.

2 The proposed replacement louvers have been
3 manufactured from the original Persiana louvers to meet
4 current code requirements, and the architect has stated,
5 "We disassemble one original mahogany louver to recreate
6 each new one."

7 There is an image that shows the various
8 louvers, and there are the original louvers, the old
9 louvers that the board were not happy with, and the
10 proposed new louvers. The proposed new louvers are more
11 consistent with the original design.

12 However, they do lack the wider bottom reel
13 as shown on the originals. Also the color is notably
14 different as they match the frames of the
15 new-but-previously-denied windows.

16 So the original louvers have been stored in
17 site for some time and their condition is unknown. The
18 architect has stated they do not meet current code
19 requirements, whereas the proposed louvers have been
20 engineered to meet these requirements.

21 So staff supports the proposed louvers with
22 the condition that the bottom louver reel should be
23 widened, and, if approved by an engineer, and the color of
24 the louvers shall match the frames of whichever windows
25 are ultimately approved by the board.

1 The second request is the replacement of
2 exterior doors and windows. The applicant is requesting
3 after-the-fact approval for the replacement of the doors
4 and windows with CGI Estate collection using matching dark
5 bronze factory finish mullions and clear low E glass to
6 meet Florida's energy requirements.

7 There was much discussion about the windows
8 at the last meeting, basically because the windows
9 appeared to be or the determination was they were
10 inappropriate.

11 We did a bit of further investigation, and it
12 was noted that shop drawings do contain a note stating
13 clear glass shall comply with historic department
14 approval.

15 The applicant is again requesting
16 after-the-fact approval for the windows and doors due to
17 -- and that were previously denied by the board.

18 In support of the request, the applicant has
19 submitted photographs of annotated glass samples of the
20 installed glass which state, Clear Low E 366.

21 The applicant is stating in further support
22 of the choice of glass that due to the substantial amount
23 of fenestration in the building, the installation of glass
24 without a low E rating would require a large increase in
25 the size and number of AC units required to keep the house

1 cool and meet current energy requirements.

2 And while all of the above may be considered
3 by the board along with any additional support material
4 brought by the applicant, staff is unable to change the
5 previous recommendation of denial, and based on aesthetics
6 and as no changes have been made to these windows since
7 the last application. They're the same windows.

8 The third item was for the request of
9 lowering the existing floor at the northwest corner of the
10 property. This is an interior alteration. It doesn't
11 require board review.

12 The fourth request is raising of the 1984
13 roof, and the photographs in the report show that the roof
14 height and part of the '84 addition has been raised. The
15 architect has stated that the 15-inch increase in height
16 was undertaken by the previous owner.

17 As this alteration is to a later addition and
18 does not significantly impact the design, you know, staff
19 has no issues with this.

20 Some of the other things that the applicant
21 has corrected from the previous application to the board
22 has been the reinstatement of the oolite walkway. There
23 are photos in the report.

24 The reinstatement of the planter wall, there
25 are photos in the report.

1 The removal of the mechanical duct terminal
2 and the reinstatement of the architecture feature.

3 The location of the HVAC equipment.

4 The replacement balcony railing now is much
5 more in keeping with the original that was removed.

6 MR. CEBALLOS: Warren, if I may.

7 MR. ADAMS: Yes.

8 MR. CEBALLOS: Just a quick interruption. So
9 the city code does not allow for any board meetings or
10 commission meetings to exceed past 9:00 without a motion
11 of that board. If you'd like to make a motion, it's now
12 9:00, so I would need a motion.

13 MS. ROLANDO: I'll make a motion that we
14 extend beyond 9:00, not a whole lot beyond nine.

15 MR. ADAMS: We're moving.

16 MR. DURANA: I'll second it.

17 MR. MENENDEZ: Okay. Mr. Durana seconds it.

18 MS. LYONS: Who made the motion?

19 MS. SPAIN: I did, Dona Spain.

20 MS. LYONS: Dona, put your mic down, please.

21 MS. SPAIN: I'm so sorry.

22 MR. FULLERTON: Let's do a voice vote.

23 MR. CEBALLOS: That's fine.

24 (Thereupon, the board members responded "aye"
25 collectively.)

1 MR. ADAMS: Okay. The reinstatement of all
2 the coral stone steps and planters as they had all been
3 removed, and so they had been replaced.

4 And the regrading of the site, and then a
5 roof overhang had been removed and that has been replaced.

6 No variances have been requested, and the
7 revisions have not been reviewed by the board of
8 architects, but the applicant has discussed the windows
9 with the city architect, but staff has not received any
10 comments from the city architect.

11 And the owner of the property asked for a
12 couple of clarifications in the report.

13 It says that Page 15 indicates the applicant
14 had undertaken a substantial amount of work without
15 approval. The correct fact is that the previous owner had
16 undertaken work without approval.

17 The new owner has requested guidance and is
18 working with staff, following staff recommendations.

19 And on Page 16 it was asked that we add, "The
20 installation of the windows and doors and louvers had been
21 approved by the City of Coral Gables under Permit Number
22 SD 20095928."

23 These windows had not been reviewed by the
24 historic preservation office, so they had been approved
25 and the permit had been approved, but they had not been

1 reviewed by the preservation office.

2 So ultimately the conclusion is that as noted
3 at the previous meeting, the applicant had undertaken
4 certain work without prior approval. Much of this work
5 involved removal of character-defining features and the
6 installation of inappropriate substitutes.

7 The applicant has attempted to rectify most
8 of these issues by reversing the alterations. The
9 replacement of historic features with new materials is
10 never going to be the same, but you know, as these
11 materials had already been removed, to try and reinstate
12 some integrity to the property, they have to be replaced
13 with new materials, and that's what the applicant has
14 attempted to do.

15 So with regard to his actual requests, there
16 are some conditions, and the bottom louver rail shall be
17 widened to match the original louvers if approved by an
18 engineer.

19 The color of the louvers shall match the
20 frames of whichever windows are approved by the board.

21 The chamfer at the edge of the coral steps
22 and planters shall be reinstated.

23 Updated drawings showing all of the
24 alterations shall be submitted to the preservation office.

25 And all necessary permits shall be obtained

1 for all work.

2 So, and the recommendation is that you will
3 need two motions, a motion to approve with conditions the
4 replacement of the existing mahogany louvers; lowering of
5 the existing floor at the northwest corner of the
6 property; raising of the 1984 roof; reinstatement of the
7 oolite walkway; reinstatement of the planter wall; removal
8 of the mechanical duct terminal; the location of the HVAC
9 equipment; the replacement balcony railing; the
10 reinstatement of the coral stone steps and planters; and
11 the reinstatement of roof overhang; and our recommendation
12 to deny the after-the-fact design approval for the
13 replacement exterior doors and windows.

14 And as I said, no changes have actually been
15 made to that. The applicant is here.

16 MR. ARTHUR: Good evening. My name is
17 William Arthur, 2920 Ponce de Leon Boulevard.

18 So a little bit of a back story on the
19 project, I'm the second architect. The first architect
20 was Mr. Heisenbottle. He had done the initial design for
21 the addition, and that's, the original COA was approved
22 under his plans.

23 When we came on board, we made some
24 improvements to that design. Working with staff, I think
25 that the improvements that we did back in 2016 were a

1 little more in keeping with Parker's original intent. We
2 made larger windows, larger fenestration. We reduced the
3 size of the addition quite substantially, reduced the
4 heights.

5 We increased more of the indoor/outdoor
6 experience that's characteristic of Parker properties.

7 I'm an avid follower of Parker. I've been
8 befriended by Mr. Parker's son. I've done some projects
9 with him, and this is not my first Parker project.

10 Before I get back to Granada, I was hoping
11 there would be a little bit more people in the audience,
12 but for those of you who are followers of Parker, one of
13 his most significant homes is under threat of demolition.
14 It's not in the City of Coral Gables, it's City of Miami.

15 Unfortunately I was the only person at the
16 hearing other than a handful of neighbors, but if there's
17 anyone here that's interested, it has a new owner, and
18 that owner intends to -- well, I can't speak for the
19 owner, but it's under threat of neglect, so.

20 MR. FULLERTON: Is that his mother's place?

21 MR. ARTHUR: So Mr. Guerre --

22 MR. FULLERTON: I was asking if it was, this
23 picture is his mother, is Al's mother --

24 MR. ARTHUR: So Mr. Guerre was a close friend
25 of Al's mother. Jewel in the Treetop, which was her home

1 just down the street from this one, was demolished.

2 MR. FULLERTON: Oh, it was?

3 MR. ARTHUR: And it was owned by this owner,
4 the person who owns it now, so it's especially under
5 threat, and for those of you who know Mr. Henning,
6 Mr. Henning gave me the permission to use this photo and
7 he knows that I'm here tonight, and he might even be
8 watching.

9 He had mentioned that this is one of his most
10 significant works, so definitely.

11 MR. FULLERTON: So who wants to knock it
12 down?

13 MR. ARTHUR: It's been bought by Carrollton,
14 Carrollton School for Girls.

15 MR. FULLERTON: Oh, Carrollton.

16 MR. ARTHUR: They own Jewel in the Treetop.
17 They neglected it and it got demolished, so.

18 Mr. FULLERTON: Wow.

19 MR. ADAMS: A designation report was prepared
20 by the City of Miami.

21 MR. ARTHUR: Yes.

22 MR. ADAMS: I don't know if it's been
23 presented.

24 MR. FULLERTON: I'm sorry, I didn't hear
25 that.

1 MR. ADAMS: A designation report was prepared
2 at the City of Miami. I don't know if it's been to the
3 board level.

4 MR. ARTHUR: So it hasn't been to the board.
5 It's still in staff's hands. The motion was for a
6 deferral, and it ended up getting deferred, and all the
7 time the new owner is making modifications to the house,
8 so check it out.

9 Going back to our original -- not original,
10 but our previous hearing, it didn't go so great. There
11 was a lot changes to the home that were done by the
12 previous owner, also done with the previous contractor.
13 There was some deviations from my plans, but there was
14 also some work that was kind of misidentified.

15 For example, that staff report mentioned that
16 the applicant was trying to install AC units next to the
17 front door. That was never a part of any application or
18 plan.

19 The contractor had installed, just like you
20 normally would in any luxury home, temporary
21 air-conditioning to keep the interior cool, keep the
22 millwork from warping, so that was never part of the
23 application.

24 The real application was for the doors and
25 windows, and the reason why we're here for the doors and

1 windows is because the contractor had submitted plans to
2 the City of Coral Gables. Development Services reviewed
3 and approved those plans.

4 The issue was, is that they were never routed
5 to Historic. Because he had that approval, he went ahead
6 and installed them. He installs impact-rated low E CGI
7 Estate series, the 238 and the 450 series which has been
8 installed all over the City of Coral Gables.

9 MS. SPAIN: Can I ask you a question?

10 MR. ARTHUR: Yes, ma'am.

11 MS. SPAIN: Did he have a permit to do that?

12 MR. ARTHUR: Yes, he did.

13 MS. SPAIN: So he did not have a permit to do
14 that.

15 MR. ARTHUR: He had a permit. The problem
16 was, is that when Development Services approved the shop
17 drawing --

18 MS. SPAIN: I think, I believe he did not
19 have a permit, just it was approved by the Development
20 Services department, not the Historic department, but I
21 don't think he had a final permit. I would be shot if he
22 had a final permit.

23 MR. ARTHUR: Yeah. So he had a permit. The
24 problem was, is that the windows that were on the shop
25 drawings that were approved were not on the master permit,

1 and I brought a packet showing the shop drawings.

2 The problem was, is that nobody in
3 Development Services realized that it wasn't just the
4 windows from the master that were being presented, it was
5 those for the historic house.

6 So under the Florida building code, with an
7 approval from Development Services, he was within his
8 rights to install those doors and windows.

9 Now, unfortunately, it's caused this problem
10 that we're here for tonight.

11 MS. SPAIN: I'd like staff to check on that
12 and bring it back next month, whether or not they had a
13 permit.

14 MR. ARTHUR: I think you can log into
15 Development Services' website right now and look at it.

16 I definitely don't want to get into a
17 deliberation with any board members. I would like to
18 present the photos that I have and finish my presentation.

19 MR. MENENDEZ: Go ahead.

20 MR. ARTHUR: Okay. So the doors and windows
21 is the only item that staff has a motion to deny for. I
22 don't think we need to go into the other items that staff
23 has a motion to approve.

24 I realize it's late. We all have spouses and
25 families to go home to. If you have any questions, I'm

1 happy to answer, but I just want to focus on the doors and
2 windows.

3 And the first thing I want to do is pass out
4 a packet so you can take a look, as did I, driving around
5 the City Beautiful, Coral Gables, of other homes that have
6 been approved by staff or the board in the same year,
7 2019.

8 These are windows that are also clear, low E,
9 and some of those are even tinted. I wanted to emphasize
10 that in the last staff presentation, they had mentioned
11 that these windows are tinted. They are not.

12 I brought a sample of the glass and actually
13 brought four samples of glass from different manufacturers
14 just to make sure that my manufacturer didn't give me a
15 glass that wasn't what they said it was.

16 All of them are clear low E, and that's the
17 sample before you now. You can compare that sample with
18 the other photographs in this packet.

19 And I'm going to scroll through the approval
20 of the louvers which I did, as Mr. Adams had explained,
21 very inventively reused Mr. Parker's original louvers
22 which I have a story about, which I probably shouldn't
23 have put on public record, but if you have any questions
24 about how the louvers arrived to the house and where the
25 mahogany came from, I'd be happy to tell you.

1 Over here going from left to right, the left
2 is the latest iteration of the louvers. I agree with
3 Mr. Adams, it should have a larger style at the base. We
4 are happy to do that.

5 MR. FULLERTON: It's the one, when you call
6 it to the left, our right?

7 MR. ARTHUR: It's the item that says
8 Proposed.

9 MR. FULLERTON: Okay.

10 MR. ARTHUR: Here's an enlarged view of the
11 approved doors and windows on the shop drawings. I
12 included a copy of the back of the plans with the stamp so
13 you see the problem. It doesn't have the signature from
14 Historic Preservation, but it is perforated.

15 This is sort of a before and after, and I had
16 mentioned before that it's important to know that the
17 house is still under construction. Construction has been
18 going on for three and a half years, almost four years
19 under this residence. Part of that had to do with the
20 previous owner.

21 The project has a new owner. The new owner,
22 Mr. DeSouza, is probably listening right now and hopefully
23 he'll speak a little bit later, but he is also an avid
24 follower of Parker, and part of him taking over this
25 project, which he's put a tremendous amount of money in,

1 was really to preserve the house.

2 I've given tours of the house while it was on
3 sale. I feel obligated to tell you that some of the
4 people I've given tours of this house said they'll
5 demolish it because it doesn't suit the property, in their
6 opinion.

7 MR. FULLERTON: Wow.

8 MR. ARTHUR: The problem with this
9 application is the applicant is asking you to approve the
10 doors and windows that they thought were approved. That's
11 why they installed them.

12 If they're not approved and the applicant has
13 to remove the doors and windows, that's \$850,000.

14 Now, I'm not here to speak in regards to the
15 owner's financial wherewithal or his ability to pay or not
16 pay, but I've done other big projects like this. Some of
17 you are builders. Some of you are architects. You should
18 know that the carrying costs for these projects is
19 tremendous, I would estimate for this house, probably
20 around \$65,000 a month.

21 He's been trying to get these doors and
22 windows reapproved for almost a year. That's three
23 quarters of a million dollars on these doors and windows.
24 If this motion is denied, he's going to have to tear those
25 out, spend \$850,000 more, lose his wind insurance for the

1 property, and who is to say that maybe it would be sold?

2 Here's a copy, just for the record, on the
3 screen the homes that are before you in that packet, also
4 with the same low E, and some of these are even tinted but
5 also enjoyed COA approvals.

6 One last thing to mention is the Florida
7 energy code. We would not be able to get a permit for
8 those doors and windows if we didn't have the low E
9 component.

10 On the left, your left and my left, you see
11 the passing rating for the low E, which again is clear,
12 emphasize on the clear, nontinted, and then if we remove
13 the low E component, the same test, same results, the
14 baseline would fail pretty poorly actually. The passing
15 grade is 806 and the baseline on the fail is at 316, so
16 the low E is a substantial component.

17 And the interior is not part of the COA, but
18 I wanted to mention that these doors and windows
19 dramatically reduce the heat gain component of this
20 particular house. Out of the other Parker homes that I've
21 worked on, this one probably has the most and largest
22 openings out of any of them.

23 There used to be a very large soffit that was
24 added in 1984 that concealed the original Parker roof.
25 There's a part of the house in the living room that --

1 scroll back -- that used to blend the interior and
2 exterior, and in 1985, they took that away because they
3 needed a tremendous amount of air-conditioning to cool
4 that space.

5 With the low E, I was able to reduce that
6 soffit quite a bit, and it's almost more exactly how it
7 was on the interior of that, that room before you.

8 So if you could give the owner an opportunity
9 to speak, I'm sure he'd be happy to.

10 MR. DeSOUZA: No.

11 MR. ARTHUR: And if you have any questions of
12 me, I'd be happy to answer.

13 MR. DeSOUZA: Hello? Hi.

14 MR. MENENDEZ: Go ahead.

15 MR. DeSOUZA: Hi. Good evening. Can you
16 hear me?

17 MR. ARTHUR: Go ahead, Marco.

18 MS. LYONS: Yes.

19 MR. DeSOUZA: Hi, hi. Thank you very much,
20 William, for the, you know, presentation, and you know,
21 basically what we are doing, working with staff, Mr. Adams
22 has been helping us a lot, tremendously actually, and we
23 have been correcting all the issues that, you know, were
24 made by the previous owner and trying to make the house,
25 you know, more like a real Parker house.

1 The issue with the windows as William
2 explained, you know, the GC, when he got the permit, he
3 went ahead and installed the windows as he was installing
4 all over the house.

5 There was a lot of confusion, and obviously,
6 you know, we never intended to do something that was not
7 approved. It was approved by the city. He went ahead,
8 installed.

9 Later on we found out that the city did not
10 route the plans for historical approval, but then
11 obviously it was too late.

12 So what we are requesting is for the board to
13 approve the windows, not because, you know, we did
14 something wrong, but also because these windows have been
15 previously approved for other homes in Coral Gables, and
16 you know, we used the low E, clear glass, which obviously
17 is the one that I think we spoke with the board of
18 architects at the city, and they had no problems with it.
19 They said they were fine, that you know, it looks good.
20 They're not tinted.

21 So I don't see any reason why, you know, they
22 wouldn't be approved if they had been approved for other
23 homes in Coral Gables, and obviously not even considering
24 the financial impact of the cost of taking down 8\$50,000
25 in windows and replacing them again with probably what

1 would be similar windows.

2 So that's our request, and I hope you guys
3 can help us. Thank you so much.

4 MR. MENENDEZ: Okay. Thank you.

5 MS. SPAIN: So is he the present owner of the
6 house?

7 MR. ARTHUR: Yes, Mr. DeSouza.

8 MS. SPAIN: And when did he purchase the
9 house?

10 MR. ARTHUR: So it wasn't exactly a purchase.
11 I think he should probably explain that better than I.
12 My understanding is --

13 MR. DeSOUZA: Yes.

14 MR. ARTHUR: -- is that the previous owner,
15 the DeMaios (phonetic), had lost the property, and
16 Mr. DeSouza had gained the property due to some sort of an
17 agreement.

18 MR. DeSOUZA: Yes. It was, Miss Spain --

19 MS. SPAIN: Yes.

20 MR. DeSOUZA: -- the house was transferred to
21 me with a deed in lieu of foreclosure.

22 MS. SPAIN: Okay. I had just not heard of
23 you before, so it was a surprise.

24 MR. DeSOUZA: Yes, yes.

25 MS. SPAIN: Okay, thanks.

1 MR. DeSOUZA: Thank you.

2 MS. SPAIN: Okay.

3 MR. ARTHUR: And then just another note,
4 Marco brought me back involved in the project. I had
5 mentioned it was previously Heisenbottle, then myself.

6 Normally we do a lot of construction
7 administration. The previous owner did not hire me to do
8 that, in my opinion, part of the reason why they've gone
9 into all these deviations that have since been resolved,
10 but it was unnecessarily long time to get here.

11 MR. FULLERTON: Mr. Heisenbottle involved in
12 any of the part of the building that wasn't according to
13 the direction that Mr. Parker would have gone? And I'm
14 confused about them.

15 MR. ARTHUR: His addition, and if you look at
16 the original COA, it's quite large, he had gotten
17 preliminary approval at the BOA after the CO, and then
18 that's where he left off of the project.

19 MR. FULLERTON: I see, and I know Richard is
20 very historically involved. That's his business, really.

21 MR. ARTHUR: Yes.

22 MR. FULLERTON: Is this mostly about the
23 color of the glass or the type of glass that's in there?

24 MR. ARTHUR: I think staff, before Mr. Adams
25 came, previous staff had thought the glass was tinted when

1 it wasn't. That's why we went through all the effort of
2 getting different samples.

3 MS. SPAIN: I think it's reflective also.

4 MR. ARTHUR: Huh?

5 MS. SPAIN: I think it's reflective also.

6 It's not so much the color, but it's a mirror.

7 MR. ARTHUR: It's not mirror. It's right
8 there.

9 MS. SPAIN: I know, and I can see through it.

10 MR. ARTHUR: It's clear, yeah, clear low E,
11 but the same clear E that we have -- you know.

12 MR. FULLERTON: My opinion, and mine alone,
13 I'm very close to Al Parker, his family. His daughter was
14 my college roommate's wife for a while, so we were very
15 close for a long time. I know your dad too, by the way,
16 knew your dad.

17 Anyway, I am much less concerned with the
18 type of glass than the architecture of the building and
19 the scale and proportions that Al Parker gave us and
20 blessed us with.

21 His houses are spectacular. The ones he
22 showed us before, the one near his mom's place, I mean
23 it's just beyond anybody's capabilities that I know, and I
24 think we were -- it's a shame that we lost at least one of
25 those. I hope we don't have to lose another one, and this

1 one should be, we should be welcoming it. We should be
2 doing everything we can to allow it to get going, you
3 know, move along.

4 So I'd like to move -- I don't know what kind
5 of a motion we need for this except to -- do you have any
6 problems with any of the conditions for this?

7 MR. ARTHUR: No, but I'll give you a story
8 about this house.

9 When I talked to Robin about it, he had said
10 that the couple, the Cottles, were fighting about the
11 views to the water, and Dr. Cottle had preferred to have
12 no views. He wanted the privacy from the waterway because
13 he didn't want people floating down boats, looking at him,
14 but the wife wanted the views.

15 So on one side of the house, Mr. Parker put
16 all fenestrations, and then the other side by the
17 fireplace is all blocked up. There was two skinny
18 windows.

19 And I was just thinking, I was like, "Man,
20 gee, wouldn't it be nice if there was three windows?"
21 Because on the other side, it looks like there should be
22 this rhythm going with three windows.

23 MR. FULLERTON: Yes.

24 MR. ARTHUR: So when -- we designed the third
25 window right next to the other two.

1 When the contractor removed all the finishes
2 and started work, he found that the 1951 construction, the
3 opening was already there in the same exact spot that we
4 spec'd it, we built it, we built it because it was there.
5 He designed it.

6 MR. FULLERTON: Well, I was in his house many
7 times in Cocoplum, too, the one that he designed for
8 himself, beautiful.

9 But anyway, I'd like to make a motion to
10 approve, if you're okay with the conditions, I'd like to
11 move the approval with the conditions.

12 MS. ROLANDO: The first motion --

13 MR. MENENDEZ: There are two motions here.

14 MR. FULLERTON: Okay, that is the first one.

15 MR. ADAMS: One of them is for a denial, but
16 if you ultimately decide you want to approve everything,
17 you can just do one motion.

18 MR. FULLERTON: Okay. The denial would be --
19 you're going to use the Persianas?

20 MR. ARTHUR: Yeah. We're refabricating them.
21 (Reporter clarification.)

22 MR. FULLERTON: You are using those?

23 MR. ARTHUR: Yes. We're refabricating them.

24 I can go back to the slide. I think the portion that
25 staff had brought a motion to deny was the doors and

1 windows.

2 MR. ADAMS: That was the only thing, deny the
3 doors and windows. Everything else was recommended for
4 approval, but if you're going to recommend approval for
5 everything including the doors and windows, you only need
6 one motion.

7 MR. FULLERTON: I would like to do that.

8 MS. ROLANDO: Please don't.

9 MR. FULLERTON: No? Okay.

10 MS. ROLANDO: No.

11 MR. FULLERTON: All right. I will hold my --
12 I would like to hear your concern.

13 MS. ROLANDO: On the doors and windows, I
14 think they're just huge and out of scale.

15 MR. FULLERTON: They are a vision of the
16 architect's design content.

17 MS. ROLANDO: I don't think they're
18 replacing.

19 MR. ARTHUR: The doors and windows are not
20 under debate. Those have already been approved. It's the
21 tinting of the glass that's under debate.

22 MS. ROLANDO: Okay.

23 MR. FULLERTON: And if you're familiar with
24 Parker's work, he uses a lot of glass.

25 MS. ROLANDO: Yes.

1 MR. FULLERTON: So I move approval of
2 everything.

3 MS. ROLANDO: There's, on the doors and
4 windows here, there's no louvers here, correct, or are
5 there?

6 MR. ARTHUR: Because we haven't been approved
7 to do the louvers. Where you have your finger there,
8 that's, there's not going to be any louvers there because
9 that wasn't part of the original design.

10 MS. ROLANDO: Okay.

11 MR. ARTHUR: But where your right hand is,
12 there are some louvers that are coming. We just need
13 staff's approval to move forward.

14 MS. ROLANDO: Okay.

15 MR. MENENDEZ: Mr. Adams, can you explain the
16 second motion so that everybody is clear?

17 MS. ROLANDO: Yes.

18 MR. ADAMS: Staff was basically, staff had
19 two motions because one of them was to approve pretty much
20 everything, but there was one denial, and the denial was
21 for the replacement of the exterior doors and windows
22 because nothing had changed from the last application when
23 it was before you when ultimately they were denied.

24 But what I'm saying is if you're going to
25 approve everything, there's no need for a denial motion at

1 all if your approval includes the windows.

2 MR. MENENDEZ: If we denied it, why, why
3 hasn't anything been done?

4 MR. ADAMS: Sorry?

5 MR. MENENDEZ: Why has nothing been done if
6 it was denied before?

7 MR. ARTHUR: Because in the previous report,
8 it was thought that the glass was tinted or reflective
9 when, in fact, it was not.

10 MR. MENENDEZ: And why are you recommending
11 that it be denied now?

12 MR. ADAMS: Because nothing had changed in
13 the design. The applicant has now come forward basically
14 disputing the fact that the windows were regarded as
15 tinted, and he's brought samples to show you, and there
16 are photographs of glass in the report which state
17 clear --

18 MR. MENENDEZ: Okay.

19 MR. ADAMS: -- clear glass on them, and he's
20 arguing that the glass is clear, and there is also the
21 energy efficiency which is --

22 MR. MENENDEZ: But staff is still
23 recommending denial?

24 MS. SPAIN: Well, I think it's because we had
25 denied it before, and so at this point --

1 MR. ADAMS: Yes.

2 MS. SPAIN: -- it's our denial --

3 MR. ADAMS: Yes.

4 MS. SPAIN: -- because he hasn't done
5 anything about it.

6 MR. MENENDEZ: Okay.

7 MR. FULLERTON: When did that come up? I
8 wasn't here. I don't remember seeing this one.

9 MR. MENENDEZ: You were here.

10 MR. ARTHUR: April 2021.

11 MR. ADAMS: But what's happening is because
12 you denied it the last time, we can't turn around and say,
13 "Now we're recommending approval."

14 You have to take on board the additional
15 information that Mr. Arthur has presented to you.

16 MR. ARTHUR: I think the reason why you might
17 not have remembered this is because there was so many
18 issues created by the previous owner that we couldn't even
19 talk about the doors and windows. We didn't even get to
20 it. I think we deliberated like an hour and a half.

21 MR. FULLERTON: I remember you being there.

22 MR. ARTHUR: And nobody remembers the
23 windows.

24 MR. MENENDEZ: Okay.

25 MR. FULLERTON: So I move approval in total.

1 MR. ARTHUR: And then if I can make one more,
2 the house is still under construction. The house still
3 has to be reviewed and approved during the construction
4 process.

5 It's going to be inspected again by
6 Historical Resources. By approving this motion, you're
7 not condoning everything that's ever happened to the
8 property. You're not approving the house to be finished.
9 It's just needed to proceed with the construction.

10 MR. MENENDEZ: Okay. I have a motion. Do I
11 have a second?

12 MS. BACHE-WIIG: Can I just ask a stupid
13 question?

14 MR. ARTHUR: Yes, ma'am.

15 MS. BACHE-WIIG: Is this the original design
16 of the home?

17 MR. ARTHUR: That's the original orientation,
18 the size of the openings. It used to be screened. Now
19 it's glazed. That was part of the original COA approval.

20 MS. ROLANDO: That's the issue.

21 MR. DURANA: I'll second it.

22 MR. MENENDEZ: Mr. Durana seconds it.

23 MS. LYONS: Miss Spain?

24 MS. SPAIN: No.

25 MS. LYONS: Mr. Durana?

1 MR. DURANA: Yes.

2 MS. LYONS: Miss Bache-Wiig?

3 MS. BACHE-WIIG: Yes.

4 MS. LYONS: Miss Rolando?

5 MS. ROLANDO: No.

6 MS. LYONS: Mr. Ehrenhaft?

7 MR. EHRENHAFT: No.

8 MS. LYONS: Was that no?

9 MR. EHRENHAFT: No.

10 MS. LYONS: Mr. Fullerton?

11 MR. FULLERTON: Yes.

12 MS. LYONS: Mr. Menendez?

13 MR. MENENDEZ: No.

14 MS. LYONS: Motion fails.

15 MS. ROLANDO: Can we re-up this with

16 bifurcating the motion?

17 MR. MENENDEZ: It's a new motion.

18 MS. ROLANDO: Okay. I would move for
19 approval with conditions of everything but the replacement
20 exterior doors and windows.

21 MS. SPAIN: I'll second that.

22 MR. MENENDEZ: Miss Spain seconds that.

23 MS. LYONS: Miss Bache-Wiig?

24 MS. BACHE-WIIG: Yes.

25 MS. LYONS: Mr. Durana?

1 MR. DURANA: Yes.

2 MS. LYONS: Mr. Fullerton?

3 MR. FULLERTON: No.

4 MS. LYONS: Mr. Ehrenhaft?

5 MR. EHRENHAFT: Yes.

6 MS. LYONS: Was that yes?

7 MR. EHRENHAFT: Yes.

8 MS. LYONS: Miss Spain?

9 MS. SPAIN: Yes.

10 MS. LYONS: Miss Rolando?

11 MS. ROLANDO: Yes.

12 MS. LYONS: Mr. Menendez?

13 MR. MENENDEZ: Yes.

14 MS. LYONS: Motion passes.

15 MR. MENENDEZ: Okay. I need a motion on --
16 the second motion.

17 MR. FULLERTON: I move to approve.

18 MS. SPAIN: Oh, my god, he's just being
19 difficult.

20 MR. ARTHUR: Yeah. I mean, we're not
21 approving the entire house. We're just allowing the
22 construction to proceed here. We still need inspections.
23 We still need --

24 MR. FULLERTON: How can -- what is wrong with
25 this glass?

1 MR. MENENDEZ: Do I have a second?

2 MR. DURANA: A second for what?

3 MR. FULLERTON: I approved, moved to approve
4 the glass and the glazing going into the house, which
5 should have been on the first motion.

6 MR. DURANA: I'll second it, but I thnk we're
7 doing the same thing, so.

8 MR. FULLERTON: Yes, we are.

9 MR. MENENDEZ: Mr. Durana seconds it.

10 MS. LYONS: Miss Bache-Wiig?

11 MS. BACHE-WIIG: I just want to say it's much
12 more beautiful open, no glass.

13 THE COURT REPORTER: I'm sorry, could you
14 speak up, please?

15 MS. BACHE-WIIG: It's much more beautiful
16 open with no glass, but I know you want to enclose it for
17 interior purposes.

18 MR. ARTHUR: The enclosure has already been
19 approved.

20 MS. BACHE-WIIG: Right, no, no, I know.

21 MR. ARTHUR: I think there's some confusion.

22 MS. BACHE-WIIG: No, no, I'm not confused.

23 MR. ARTHUR: We're not applying to --

24 MS. BACHE-WIIG: I just wanted to make
25 that --

1 MR. ARTHUR: -- enclose it with glass.

2 MS. BACHE-WIIG: I know. I just wanted to
3 make the comment. Yes.

4 MS. LYONS: Miss Rolando?

5 MS. ROLANDO: No.

6 MS. LYONS: Mr. Ehrenhaft?

7 MR. EHRENHAFT: Yes.

8 MS. SPAIN: Wow. Was that a yes?

9 MS. ROLANDO: Yes.

10 MS. LYONS: Yes.

11 MS. SPAIN: One, two, three. We might hit
12 it.

13 MS. LYONS: Miss Spain?

14 MS. SPAIN: No.

15 MS. LYONS: Mr. Fullerton?

16 MR. FULLERTON: Yes.

17 MS. LYONS: Mr. Durana?

18 MR. DURANA: Yes.

19 MS. LYONS: Mr. Menendez?

20 MR. MENENDEZ: No.

21 MS. SPAIN: Did it pass?

22 MS. ROLANDO: Yes.

23 MR. ARTHUR: Getting closer. Is there any
24 reason why these other homes are approved with the same
25 exact glass?

1 MS. SPAIN: I can't answer that question. I
2 have no idea, but it isn't obvious as this one when you
3 can see the water if you look at it from -- I mean, it's
4 so reflective, and maybe it's because of the amount of
5 glass.

6 MR. DURANA: I mean, is there like a happy
7 medium that we could do? Like maybe that particular room,
8 you change it to clear, and then the rest of the house
9 stays on low E or something?

10 MR. ARTHUR: If that becomes a condition. I
11 just, I just, I am really surprised that a bunch of
12 professionals in a room think that destroying \$850,000
13 of --

14 MR. MENENDEZ: We're not here, we're not here
15 to debate money. That's not in our purview. We don't
16 take that into consideration.

17 MR. ARTHUR: How would it pass the energy
18 code?

19 MS. BACHE-WIIG: I have a question.

20 MR. ARTHUR: How would it pass?

21 MR. FULLERTON: You've got to be somewhat
22 flexible. You have to meet the code. Otherwise, you take
23 some of the glass away.

24 MR. MENENDEZ: Okay. Do we have another
25 motion?

1 MS. BACHE-WIIG: I have a question. Is there
2 a way to mitigate the reflectivity? Is there a film?

3 MR. ARTHUR: Happy to apply a film.

4 MS. BACHE-WIIG: No, I don't know the answer.
5 I just --

6 MR. ARTHUR: We're happy to apply a film if
7 it makes it less reflective.

8 MR. FULLERTON: Let me suggest, first of all,
9 the reflectivity is minor.

10 Secondly, at night you see out -- no, you
11 see, you have more reflectivity inside, but you don't see
12 the water at night. In the daytime, it's perfectly
13 visible, so your views to the water, there's no argument
14 about that. This is, this is not a highly reflective
15 glass.

16 MR. ADAMS: I've been informed that
17 replacement windows in historic properties don't
18 necessarily have to meet code, replacement windows in
19 historic properties per the building department don't have
20 to meet energy code, and of course, I think you also
21 mentioned about the increase in the AC units?

22 MR. ARTHUR: Yes. There's about eight
23 additional tons of cooling required without the low E
24 glazing.

25 What Miss Kautz had mentioned does not

1 exactly apply to Level Three alterations, and besides I
2 would proffer that there's laws out there that allow you
3 to do plenty of things that may be allowed, but you
4 shouldn't do them.

5 Eight tons of cooling in that one room alone,
6 I think that's irresponsible not to put the low E glazing.

7 MR. FULLERTON: You have environmental
8 concerns.

9 MS. SPAIN: So it passed, right? Is that
10 right?

11 MR. MENENDEZ: No. It's three to four.

12 MR. ARTHUR: There was a great idea about
13 adding a layer of film. I'm sure the owner would be
14 amenable to that. If that's what it takes to satisfy Miss
15 Spain, if we put a layer that reduces the reflectivity,
16 happy to do it.

17 MS. SPAIN: You don't have to satisfy me.
18 This is a board decision. Don't make me the bad person.

19 MS. BACHE-WIIG: I think something that
20 wouldn't darken it either.

21 (Reporter clarification.)

22 MS. BACHE-WIIG: Is there a way to put an
23 amendment to the approval by saying that the architect
24 will work with staff to try to minimize the reflectivity?
25 I mean, just as a side note, I think the issue is that

1 this was never meant to have glass.

2 MS. ROLANDO: Right, that's exactly it.

3 MS. BACHE-WIIG: That's the real -- that's
4 where we are, we're at. Obviously we're beyond that
5 because it's been approved, so I think we're fighting
6 something that should never have been, but it's there.

7 So how do we mitigate it? Maybe there's a
8 way for you to go back to staff?

9 MR. ARTHUR: Happy to do that. I think it's
10 a great idea. I think it's totally possible. I can get
11 with the supplier and we'll come up with a few samples of
12 film. We'll show them to Warren. For good measure, we'll
13 introduce them to Miss Spain if she so desires.

14 MR. MENENDEZ: Or we could just defer this
15 item.

16 MR. ARTHUR: The thing with the deferral is
17 we could do the glass now. I can get people out there
18 next week to apply the film, and we could be moving. The
19 deferral, I don't know what's on next month's agenda,
20 but --

21 MS. ROLANDO: Well, right now you have a
22 denial, so that's not going ahead, so the question is do
23 we defer? I don't think we're going to reconsider without
24 seeing the proposed solution, and it sounds like you
25 believe you have a good solution.

1 MR. ARTHUR: Yes. I think if it's
2 approved --

3 MS. ROLANDO: Or let's see the solution.

4 MR. ARTHUR: -- if it's approved with the
5 condition that it has a tinting to reduce the
6 reflectivity, we can abide by that condition.

7 What I'm hoping to prevent is that we keep
8 getting deferrals. It's already been over a year. We've
9 been trying to resolve this for over a year, and another
10 deferral is more carrying costs.

11 MS. SPAIN: How many times have you been to
12 the board trying to resolve it?

13 MR. ARTHUR: I'm sorry?

14 MS. SPAIN: How many times in that year have
15 you been to the board trying to resolve it?

16 MR. ARTHUR: This board is the second time.

17 MS. ROLANDO: Okay, so.

18 MS. SPAIN: Okay, so.

19 MR. ARTHUR: Yeah. It's taken that long. So
20 the nonreflective tinting, totally possible. We could do
21 it next week. We can gain staff approval, make sure that
22 Warren is satisfied. If he's not, then we'll come back.

23 MR. MENENDEZ: Okay.

24 MS. SPAIN: I really don't care if --

25 MR. ADAMS: But my only concern with that

1 would be would it not make the windows darker? If another
2 -- so then you have dark windows rather than -- you know.

3 MR. MENENDEZ: There are some board members
4 who want to see the solution before they vote, and there
5 are other board members who are fine, so.

6 MR. FULLERTON: Well, do you need a motion to
7 allow staff to work with the architect to determine what
8 tint you would accept? We've trusted you with more
9 complicated things.

10 MR. ADAMS: I would argue this is more
11 complex than, you know, reviewing a tile for around a
12 swimming pool.

13 MS. ROLANDO: I think maybe we've batted
14 enough hot potatoes to Warren, so why don't we put this
15 on, have this on the agenda for the next meeting?

16 MR. FULLERTON: Are there Persianas on any of
17 these windows?

18 MR. ARTHUR: I think the Persianas are in the
19 first motion which was approved. I think we're down to
20 just the reflectivity of the glass.

21 MR. FULLERTON: No, I know, but if there are
22 Persianas in front of this glass, does it make --

23 MR. ARTHUR: It makes no difference,
24 honestly. It's just delaying the construction and
25 delaying the preservation of his home even more. That's

1 all it does.

2 MS. SPAIN: But why is it delaying anything?
3 You're already resolved.

4 MR. ARTHUR: Because the next hearing is a
5 month away.

6 MR. DURANA: Are you guys red tagged?

7 MS. SPAIN: But in the meantime, what are you
8 doing? Has this stopped construction?

9 MR. ARTHUR: Yes.

10 MS. SPAIN: Why?

11 MR. ARTHUR: Because you saw how many windows
12 we have. We would be basically ruining the entire house
13 if we removed all the windows.

14 MR. DURANA: He can't install tile, he can't
15 do finishes if he's going to have to rip out --

16 MR. ADAMS: One question: How many of the
17 windows or what percentage of the windows are covered or
18 will be covered by the Persiana shutters?

19 MR. Arthur: Can we go back to that image?
20 It's not the largest ones. It's the smaller ones. It's
21 everything on the second floor.

22 MR. ADAMS: But the largest ones weren't
23 originally windows, were they?

24 MR. FULLERTON: Are the open ones on the --

25 MR. ARTHUR: No. They were screen, and the

1 screen was very dark, by the way, so if anything, if you
2 compare the photos, the glass --

3 MS. ROLANDO: Wait, wait, wait.

4 MR. ARTHUR: -- you see much more in the
5 glass.

6 MS. ROLANDO: Don't try selling us screen and
7 glass are the same. Just move ahead and talk about things
8 that are realistic.

9 MR. ARTHUR: Okay.

10 MR. FULLERTON: Let me ask you a quick
11 question: The open glass that does not have the Persianas
12 on it, is that on the north elevation?

13 MR. ARTHUR: It is.

14 MR. FULLERTON: So it's on the least
15 sun-affected side of the building, so that makes a
16 difference.

17 MR. DURANA: But so he was approved for shop
18 drawings. How did he get approved for shop drawings
19 without being approved by Historic? That doesn't make any
20 sense. Like that's why -- I mean, I understand their
21 standing because if I'm the owner, I'd say, "You approved
22 these. I'm putting in what you approved."

23 MS. SPAIN: What happens sometimes, though,
24 is the shop drawings don't come to the city until after
25 it's already installed. They get approval, and then the

1 shop drawings come. I mean, that's happened.

2 MR. DURANA: Yes, but even then they approved
3 the shop drawings, they approve them.

4 MS. SPAIN: That happened with the University
5 of Miami architecture school windows, which we had on the
6 drawings and the architect had on the drawings clear
7 glass, and I got the shop -- it was almost my last day of
8 working before I retired, and I got the shop drawings and
9 it had a tint to it.

10 MR. DURANA: Yes, but I'm saying these got
11 approved. These are shop drawings that got approved.

12 MS. SPAIN: Well, everyone else had approved
13 the shop drawings. I went out to look out to -- they were
14 already installed, so it all depends.

15 MR. ARTHUR: My understanding is that the
16 process has been improved in Development Services. I
17 don't think it's a Historic issue. I think it was,
18 Development Services should have routed it to Historic.

19 MR. DURANA: Yes, correct.

20 MR. ARTHUR: I understand from the director
21 it's since been improved to prevent these types of issues.

22 What I want to say, though, is that I'm
23 afraid these types of things is like we're throwing the
24 baby out with the bath water.

25 MS. ROLANDO: I understand.

1 MR. ARTHUR: Removing these doors and windows
2 at this point would basically be pretty much demolishiing
3 the rest of the house.

4 All of the interior would be destroyed. All
5 of the furnishings, the air-conditioning, all of the
6 lighting, all of that would be gone without doors and
7 windows, and we would probably be looking at another owner
8 who, honestly, will never come to this board, because
9 there are people out there who buy these types of
10 properties and they demolish them.

11 And I think by denying the doors and windows,
12 not looking into the film which I thought was a great
13 idea, that's what we would be doing.

14 So if I could get a motion to look at the
15 reflective film, if it's not acceptable by staff, we'll
16 come back, but I think the film is a great idea.

17 MR. FULLERTON: I move that we allow the
18 applicant to bring a sample of several, if there are
19 several, films that might be used to mitigate the
20 reflective quality of the glass.

21 MR. MENENDEZ: So then that's a deferral.

22 MS. ROLANDO: Yes.

23 MR. MENENDEZ: Okay.

24 MR. FULLERTON: Yes, but I don't want to have
25 to come back -- if it's okay with you, I think it should

1 be, they should be allowed to move ahead.

2 Honestly, I think we are batting at
3 mosquitoes and getting run over by Mack trucks.

4 MS. ROLANDO: Right.

5 MR. DURANA: I mean, look, I don't like the
6 way it looks, but I think we're giving him a much harder
7 time for something that was approved by the city than we
8 gave the previous applicant that completely built
9 something that was not approved, I mean.

10 MR. MENENDEZ: Okay. Do I have a second?

11 MR. DURANA: For what?

12 MR. MENENDEZ: For his motion.

13 MR. DURANA: I don't know what --

14 MR. FULLERTON: It's not a deferral.

15 MR. DURANA: I didn't even know what the
16 motion was.

17 MR. FULLERTON: It's not a deferral.

18 MR. CEBALLOS: Just to be clear, just to make
19 the record clear, I don't know and I don't believe anyone
20 in this room from the city can confirm whether these were
21 approved or not.

22 I have shop drawings that were approved, but
23 there's a revision that happened on the very next meeting,
24 which obviously you have a building, you have a revision,
25 and you have shop drawings. The shop drawing was

1 approved.

2 The revision, I have denials from a week or
3 two from Kara in regards to those windows, so I don't know
4 what was approved or not approved, and I don't want the
5 board to make a decision on that because we simply don't
6 have an answer to it, and I don't trust my interpretation
7 of these on line permits. I would defer to Building.

8 I would love to bring it back to you in the
9 next meeting, just make sure that that's clear. I haven't
10 confirmed that, and I don't think staff has confirmed it
11 either.

12 MR. ARTHUR: That revision was withdrawn.
13 That revision was canceled.

14 MR. MENENDEZ: Okay.

15 MR. CEBALLOS: Okay. I'm just going off,
16 once again, my preliminary review --

17 MR. MENENDEZ: Well, we're not going to have
18 any more arguments. We've been here almost six hours, and
19 patience is running thin for everybody, so we have a
20 motion. Do we have a second?

21 MR. DURANA: Can we repeat the motion?

22 MR. FULLERTON: The thing is that the motion
23 was not to defer. It was to allow staff to work with the
24 applicant to see what is available in the way of
25 mitigating film.

1 MS. BACHE-WIIG: I will second that motion.

2 MS. LYONS: I'm sorry, I couldn't hear.

3 MS. BACHE-WIIG: I will second the motion.

4 MR. MENENDEZ: Okay. Miss Bache-Wiig seconds
5 the motion.

6 MS. LYONS: Miss Rolando?

7 MS. ROLANDO: Is the motion to approve the
8 doors and windows subject to a satisfactory --

9 MR. FULLERTON: Yes.

10 MS. BACHE-WIIG: Yes.

11 MS. ROLANDO: -- resolution acceptable to the
12 preservation officer?

13 MR. EHRENHAFT: Yes.

14 MR. MENENDEZ: Thank you for clarifying.
15 That's a good clarification.

16 MS. ROLANDO: Yes.

17 MS. LYONS: Mr. Ehrenhaft?

18 MR. EHRENHAFT: Yes.

19 MS. LYONS: Miss Spain?

20 MS. SPAIN: Yes.

21 MS. LYONS: Mr. Fullerton?

22 MR. FULLERTON: Yes.

23 MS. LYONS: Mr. Durana?

24 MR. DURANA: Yes.

25 MS. LYONS: Miss Bache-Wiig?

1 MS. BACHE-WIIG: Yes.

2 MS. LYONS: Mr. Menendez?

3 MR. MENENDEZ: Yes.

4 MS. LYONS: Motion passes.

5 MR. MENENDEZ: All right.

6 MR. ARTHUR: Thank you. Good night.

7 MS. ROLANDO: Warren, you better not screw
8 up.

9 MR. ADAMS: Because I knew that was coming, I
10 knew that was coming.

11 MR. ARTHUR: We're not going to hide the
12 sample. We'll show you the sample.

13 MR. ADAMS: It's like, "Warren, we're
14 concerned about you approving a pool tile and a brick
15 paver" --

16 MS. SPAIN: I know.

17 MR. ADAMS: -- "and making sure the garage
18 doors, but we want you to approve a film for an entire
19 glass building." Thank you. Sorry.

20 MR. MENENDEZ: Okay. Mr. Adams, do we have
21 any additional items?

22 MS. SPAIN: Yes.

23 MR. ADAMS: We do. I think Miss Spain --

24 MS. SPAIN: I requested that this be added,
25 and I apologize. I knew it was going to be late. Do we

1 have the images that we can put up?

2 MR. ADAMS: Can we have the Power Point,
3 please?

4 MS. ROLANDO: Is this the gondola?

5 MS. SPAIN: Yes.

6 MS. ROLANDO: Oh, it was in The Herald.

7 MS. SPAIN: Well, and that's the thing, so --

8 MS. ROLANDO: Wait. Oh, my god.

9 MS. SPAIN: So this is the gondola
10 building --

11 MS. ROLANDO: What happened?

12 MR. DURANA: It collapsed?

13 MS. SPAIN: -- at the Biltmore Hotel, and
14 this is what happened.

15 MS. BACHE-WIIG: How did that happen?

16 MR. MENENDEZ: Who knocked it down?

17 MR. FULLERTON: What is that?

18 MR. DURANA: That's on the seventh hole,
19 right when you shoot, when you hit over the water. You
20 know what I'm talking?

21 MR. FULLERTON: Yes.

22 MR. DURANA: You lay up and then you hit.

23 MS. ROLANDO: What happened?

24 MS. SPAIN: That was on the endangered list
25 that Bruce Ehrenhaft actually worked on with DHT, and

1 these came in an e-mail that was sent to Chris Rupp, the
2 executive director of DHT, and she sent it to me, and I
3 just couldn't believe it.

4 And there is, if you go on line to the Miami
5 Herald, there is an article that talks about it, and then
6 there's a city spokesperson, and I apologize for doing
7 this, but I'm reading this article and it made no sense.

8 It says, it goes on about how important it
9 was, and it says, "'The building has been uninhabited for
10 decades,' city spokeswoman Martha Pantin wrote in a text."

11 Well, yes, it was never inhabited. It was a
12 gondola storage building, so that's one thing.

13 And then it said, "Needed an investment of
14 more than 1.5 million dollars to restore it."

15 Well, that's assuming you're going to
16 repurpose it as an event building the way Rich
17 Heisenbottle in 2017 suggested, and he did a 260-some-page
18 report --

19 MR. FULLERTON: Good.

20 MS. SPAIN: -- on how important it was, and
21 he did a proposal to the city.

22 But that included bringing water to it and
23 bringing electricity, which it didn't have, but to restore
24 that building back to its original state didn't need it,
25 it doesn't need water, it doesn't need electricity, and it

1 certainly wouldn't have taken 1.5 million dollars.

2 MR. FULLERTON: No.

3 MS. ROLANDO: Is this demolition by neglect?

4 MS. SPAIN: I don't know. "In 2019, the city
5 passed a resolution authorizing \$500,000 to be used for
6 matching grants to the Florida Department of State," which
7 is true.

8 And then it has, "Unfortunately, we have been
9 unsuccessful in securing a matching grant from the State
10 of Florida," and this next sentence, "We have secured the
11 structure and are evaluating our path forward."

12 So my question is, because apparently this
13 text was written after it looked like that --

14 MR. FULLERTON: Did it fall down by itself?

15 MS. SPAIN: I don't know, but does the city
16 think that securing it means putting crime tape around it
17 and now it's secure because people that are getting near
18 it? Because honestly --

19 MR. ADAMS: I can give a bit of an update. I
20 received a message yesterday morning, and I was out to the
21 site. I was the only person there.

22 So I was taking some photographs, and a
23 couple of people turned up with an excavator. I asked
24 them what they were doing. They said they were going to
25 move the rubble.

1 I asked them to leave it because my thoughts
2 were if it's going to be rebuilt, I'd rather the rubble
3 stayed where it was. It's going to be easier to figure
4 out what's what.

5 At this time the back wall was still standing
6 up, so there was a back wall there, and I contacted the
7 building official, and just for confirmation, you know, to
8 make sure the site was safe, and I got an e-mail back
9 saying, "Tell them not to touch anything at least until
10 the walls are braced and secured," so it was left at that.

11 I returned this morning, and another wall had
12 come down, and we did meet with two shoring companies
13 today, and who are going to give us proposals for at least
14 shoring up what's left. The Biltmore were today putting a
15 six-foot fence round it.

16 And I was in the office early today because
17 last night the mayor's office requested that I help
18 prepare funding appropriation forms from the state, one
19 for the house and one for the senate, which would involve
20 requesting, I believe it's \$750,000, plus \$750,000 from
21 the city.

22 So that's been done, and they were being
23 submitted today, and the mayor is presenting that in
24 Tallahassee I believe on Friday, so that's --

25 MS. SPAIN: It's so troubling and so

1 unavoidable. There's no reason --

2 MS. ROLANDO: It's avoidable.

3 MR. FULLERTON: Avoidable.

4 MS. SPAIN: But this --

5 MS. ROLANDO: Yes.

6 MS. SPAIN: -- this was absolutely avoidable,
7 I mean, but you're right, but it was so stupid. I mean,
8 when they took all of the trees away from it, because
9 there were trees that had fallen on top of it, I asked
10 that we shore it up, we make sure that it's secure because
11 there was no roof.

12 So anyhow, I just wanted to bring it to your
13 attention. Bruce?

14 MR. EHRENHAFT: Can I interject?

15 MR. MENENDEZ: Go ahead.

16 MR. EHRENHAFT: Are people saying that this
17 is simply a collapse of the structure, or did somebody
18 demolish it?

19 What I wanted to know was -- because we've
20 had demolition by neglect going on for decades on this
21 building. It's on Biltmore property, and I think the city
22 is somehow involved in it. Okay?

23 When you've got demolition by neglect, there
24 are fines that accrue. It's a private home, and
25 eventually then it exceeds the value of the property, and

1 then it gets seized. Okay?

2 And if it was demolition by neglect but
3 somebody -- it did not collapse by itself, and somebody
4 demolished it, was there a demolition permit requested?

5 MR. ADAMS: There is no demolition permit
6 requested, no.

7 MR. EHRENHAFT: So did somebody come with a
8 machine and knock this down, or did it fall all by itself?

9 MR. ADAMS: I don't know.

10 MR. FULLERTON: It looks like it's been
11 really knocked apart.

12 MR. EHRENHAFT: It looks like it was
13 mechanically --

14 MR. FULLERTON: Yes, it looks like, because
15 otherwise some of that rubble would be like in a pile.

16 MR. MENENDEZ: In a pile.

17 MR. EHRENHAFT: It would be in a pile and a
18 lot of it would be inside, you know, so.

19 MS. SPAIN: Very troubling.

20 MR. FULLERTON: Very troubling.

21 MS. ROLANDO: Was it vandalized?

22 MR. FULLERTON: Maybe that's what I'm
23 thinking.

24 MS. ROLANDO: I'm wondering if there was
25 video at all.

1 MS. SPAIN: I don't know.

2 MR. ADAMS: It's in the middle of the golf
3 course so it's unlikely there would be any, I wouldn't
4 think be any video.

5 MR. MENENDEZ: I'm sure there are homes
6 around that golf course that have cameras.

7 MS. ROLANDO: Absolutely.

8 MS. SPAIN: I don't know whether there were
9 lights on it.

10 MR. FULLERTON: So nobody knows how it got
11 this way other than just God?

12 MR. ADAMS: How it ended up collapsing?

13 MR. DURANA: Well, we had a lot of rain I
14 think over the last couple days. No?

15 MS. ROLANDO: It doesn't look like collapse.
16 It didn't fall in on itself.

17 MR. FULLERTON: Yes. It doesn't look like a
18 collapse.

19 MS. BACHE-WIIG: It's too spread out.

20 MR. DURANA: Could it be a lightning strike,
21 I don't know, a lightning strike?

22 MS. ROLANDO: I don't know.

23 MR. MENENDEZ: Somebody hit it with a golf
24 ball.

25 MS. ROLANDO: It's very troubling.

1 MR. DURANA: To do that type of damage, you
2 would have to hit that with a truck, not with a golf cart.

3 MS. SPAIN: Honestly, that has been an issue
4 since, when it first came to my attention was when Bill
5 Kerdyk was commissioner, so how many years ago was that?
6 That he brought it up at a commission meeting and said,
7 "You know, we really need to save this building, it's
8 amazing." He was a golfer, and it's out in the middle --

9 MS. BACHE-WIIG: What will happen now? Will
10 they have to rebuild it to its original --

11 MR. ADAMS: Well, that would be, I mean, that
12 would be the recommendation.

13 MR. FULLERTON: Do we have any drawings of
14 it?

15 MR. ADAMS: Yes. I mean it was documented.

16 MS. SPAIN: Rich Heisenbottle did drawings.

17 MR. FULLERTON: Huh?

18 MS. SPAIN: Rich Heisenbottle did drawings
19 and he documented, it was in 2017, he documented the
20 buildings.

21 MR. ADAMS: Which is why, when I went out
22 there, I asked that it be left the way it was, because
23 it's going to be far easier to piece together like that
24 than if it's shoveled up --

25 MR. MENENDEZ: Right.

1 MR. ADAMS: -- in a corner, put in a pile,
2 but ultimately, you know, we need to wait and see.

3 MR. FULLERTON: I think we need to talk to
4 Rich Heisenbottle.

5 MS. SPAIN: I already sent him images. I
6 forwarded it to him yesterday.

7 MR. MENENDEZ: Mr. Adams, any other items?

8 MR. ADAMS: Yes. I'd like a discussion on
9 window films for historic.

10 MR. MENENDEZ: That's your baby.

11 MS. LYONS: Mr. Gillis has his hand up, and
12 Karelia also.

13 MR. FULLERTON: Do we need another motion to
14 stay after ten?

15 MR. CEBALLOS: Technically no.

16 MS. BACHE-WIIG: I have to catch a flight
17 early in the morning. Can I exit? Is that allowed,
18 Mr. Chairman?

19 MR. MENENDEZ: Go ahead.

20 MS. BACHE-WIIG: If you'll allow me? Thank
21 you.

22 MS. SPAIN: We're not going to vote on
23 anything.

24 MR. FULLERTON: I move, I move that you can
25 move.

1 MR. MENENDEZ: I think what we're going to
2 move is to --

3 MR. FULLERTON: Adjourn.

4 MR. MENENDEZ: -- adjourn. I can't move --

5 MS. SPAIN: Wait. We have people who want to
6 talk.

7 MS. LYONS: What do we do about these people
8 who want to talk?

9 MR. MENENDEZ: Okay. Bring somebody on.

10 MS. LYONS: Go ahead, Karelia.

11 MS. MARTINEZ-CARBONELL: Hello, hello. Hi,
12 it's Karelia. I know it's late, and bear with me, please,
13 and thank you for staying all this time.

14 In terms of the gondola building, it's really
15 very sad. It's actually not a happy day for many
16 preservationists, and I was there in August with
17 Mr. Adams, and that building, we all agreed that it needed
18 immediate attention, and the city did not act on it, and
19 that was in August.

20 But back in 2019 -- I don't understand how
21 the Historic Preservation Resources department didn't flag
22 this even back then when it was on an endangered list, and
23 there was a grant and there was \$500,000 put towards this
24 building.

25 So just, you know, just for the record, I

1 just want to make sure that the city, something is
2 happening with the collapse of a historic building, it's
3 something to really take seriously, and funds need to be
4 put into the budget, and these buildings have to be
5 maintained, and that's why this committee that was just
6 formed just two weeks ago, I believe, is something that is
7 good, you know, for preservation.

8 So you know, the gondola building is a sad,
9 sad thing that happened to the city, and I see -- you
10 know, I hear people laughing about it and conjecturing
11 things, and that building has been really in a mode of
12 neglect for many, many years.

13 So whether it just, you know, all of a sudden
14 collapsed, or somebody pulled a rock and it collapsed, you
15 know, we don't know. Maybe we will know at some point.

16 But the matter is, just back in August there
17 was an emergency call out for this building for the city
18 to secure it and make sure that it would be, you know,
19 maintained and obviously restored.

20 So not only is it going to maybe cost twice
21 as much now to restore it, now that is the consequence.

22 But please, you know, these buildings, these
23 historic buildings, these landmarks that we are all proud
24 of, they just don't exist. They have to be maintained and
25 they have to have money and they have to have a budget.

1 So you know, when we're all thinking about
2 budget, please make sure that historic preservation is a
3 priority.

4 So thank you again, good night, and I hope it
5 will be a better day tomorrow in terms of this gondola
6 building. Hopefully there will be some positive that we
7 can draw from.

8 MR. MENENDEZ: Thank you. Mr. Ehrenhaft.

9 MR. EHRENHAFT: I have an objection because
10 nobody in this room, on this committee --

11 MR. GILLIS: Hello.

12 MR. EHRENHAFT: -- was making jokes about
13 this.

14 MS. SPAIN: Not at all.

15 MR. EHRENHAFT: I said nobody in this room --
16 I have an objection to what she was saying. Nobody in
17 this room on this committee was making jokes or laughing
18 about this or making making little of it. Okay? I find
19 that offensive. I need to say that for the record.

20 MR. MENENDEZ: Duly noted. Do we have
21 anybody else?

22 MR. GILLIS: Hello. Yes. This is Brett
23 Gillis.

24 MR. EHRENHAFT: I think it would be nice to
25 note for investigation to find out what really happened,

1 was it knocked down or was it collapsed.

2 MR. FULLERTON: Good point. I certainly did
3 not mean to be jocular.

4 MR. MENENDEZ: Mr. Gillis?

5 MR. GILLIS: Good evening. I'll be very
6 fast. Thank you for staying.

7 I was there on August 25th with Mr. Adams,
8 and my understanding was that the public works department
9 was going to secure the building.

10 Do we know why that didn't happen? I mean,
11 that was an emergency call that was made to public works.
12 It doesn't seem like they did anything.

13 MR. ADAMS: That's something I'll have to
14 look into, and I believe a request was made to the city to
15 actually secure the building the day after that meeting.

16 MS. SPAIN: I know I sent an e-mail in
17 August.

18 MR. GILLIS: Okay. Mr. Adams, are you
19 willing to go look one day at the Alhambra water tower,
20 the north part of that?

21 I believe it started to have spalling. Water
22 appears to be getting in and I think you're going to have
23 a similar situation going on there if something is not
24 done to that Alhambra water tower.

25 That is probably the thing that I hear from

1 neighbors and residents the most right now more than
2 anything, because a lot of people don't know about the
3 gondola building if they're not golfers, but that Alhambra
4 water tower, people go by every day, and the condition of
5 it is disgusting. Thank you.

6 MR. ADAMS: I can look into that. I know we
7 were out there a couple of months ago with the insurance
8 adjustors and for damage caused by one of the last
9 hurricanes, so I can certainly find out where we are in
10 that process.

11 So I do know that's something that's ongoing.
12 I just don't know if public works heard back from the
13 insurance adjustors yet.

14 MR. FULLERTON: That building is a huge
15 problem because it's framed.

16 MR. ADAMS: Yes.

17 MR. FULLERTON: And it's not concrete and
18 it's meant to be destroyed. I mean, I think Merrick
19 rebuilt it, he thought, "Well, it lasts as long as it will
20 last."

21 It's a terrible shame because a lot of people
22 have done a lot of work to try to preserve it.

23 MS. LYONS: Speak into the mic.

24 MS. SPAIN: I was, except it was off. Sorry.
25 I said in the time I was with the city, it was totally

1 restored twice.

2 MS. ROLANDO: At great expense.

3 MS. SPAIN: At great expense, so it was like
4 every ten years, it has to be rebuilt.

5 MR. FULLERTON: My brother painted it one
6 three-month period.

7 MS. SPAIN: Yes. I remember that.

8 MR. MENENDEZ: Anything else, Mr. Adams?

9 MR. ADAMS: No.

10 MR. MENENDEZ: Can somebody make a motion to
11 adjourn, please?

12 MS. SPAIN: Let's adjourn.

13 MR. ADAMS: Thank you.

14 MR. MENENDEZ: We're adjourned.

15 (Thereupon, proceedings were adjourned at 10:08 p.m.)
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C E R T I F I C A T E

STATE OF FLORIDA)
COUNTY OF DADE)

I, DOREEN M. STRAUSS, do here by certify that
the foregoing pages, numbered from 1 to including 302,
represent a true and accurate transcription of the record
of the proceedings in the above-mentioned case.

WITNESS my hand in the City of Miami this 14th
day of December, 2021.

Doreen Strauss



Doreen M. Strauss

