



# CITY OF CORAL GABLES

## CODE ENFORCEMENT DIVISION

427 Biltmore Way, Suite 100

01/26/2021

Case #: CE298983-122120

## Notice of Violation

**ALA II LLC  
665 CALATRAVA AVE  
CORAL GABLES FL 33143**

Folio #: 03-4132-018-0030

Dear Property Owner and/or Occupant:

This letter constitutes a notice that a violation(s) exists on the premises at **665 CALATRAVA AVE**, Coral Gables, FL.

The violation(s) found was:

**Violations:**

- **Violation of Coral Gables Zoning Code.**

**Code Enforcement Officer Comments: Play Structure (Tree house) installed in a Single Family District (SFR) without obtaining the required approvals and "No Fee" Zoning Permit as per Ordinance # 2020-33.**

**The following steps should be taken to correct the violation:**

**Remedy: Must obtain "approval and issuance" of the required No Fee Zoning Permit within 14 Days of this notice. All required inspections shall be completed by 02/25/21 or play structure must be removed.**

The regulations enforced by the City have been adopted in order to protect the public and assure continuing high property values. Your immediate attention to correcting the violation(s) listed above is required.

The Code Enforcement Division will re-inspect the property on **02/26/2021** to determine if corrective measures have been completed. If the violation(s) has not been corrected at the time of inspection, your case will be scheduled for a hearing before the Code Enforcement Board for review and possible action. At that time, you will have the opportunity to explain to the citizens serving on the Board the reasons why the violation(s) has not been corrected. The Board has the authority to assess a fine against you for as long as the violation continues.

The Division is available for consultation on this matter from 7:30 AM to 4:00 PM. Please do not hesitate to call the Code Enforcement Officer below for additional assistance.

**If this notice pertains to failure to maintain a historic structure, please be advised that:**

- **You may be subject to substantial fines that may not be mitigated.**
- **You may also be required to repair or restore the historic structure.**
- **If the historic structure is allowed to deteriorate to the point where it must be demolished:**

- o **the City Code requires that you replace the structure with a similar historically-appropriate structure; and**
- o **the property will no longer qualify for an historic preservation tax exemption.**

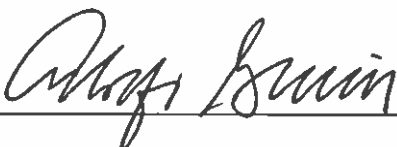
Las regulaciones impuestas por la Ciudad han sido adoptadas para proteger al público y asegurar la continuidad de los valores altos de la propiedad. Se pide la atención inmediata para corregir la(s) violación(es) indicadas arriba.

La División del Cumplimiento del Código re-inspeccionará la propiedad el **02/26/2021** para determinar si se han tomado medidas correctivas. Si la(s) violación(es) no han sido corregidas en el momento de inspección, su caso será presentado a la Junta del Cumplimiento del Código para su revisión y posible acción. Ahí tendrá la oportunidad de explicar a los ciudadanos que sirven en esta junta las razones por la cual esta(s) violación(es) no han sido corregidas. La Junta tiene la autoridad de imponer una multa en contra suya por el tiempo en que continúe la violación.

La División está disponible para consulta sobre este caso de 7:30 a.m. a 4:00 p.m. Por favor comuníquese con el Oficial del Cumplimiento del Código nombrado abajo para cualquiera asistencia adicional.

**Si este aviso se refiere a la falta de mantenimiento de una estructura histórica, tenga en cuenta que:**

- **Usted puede recibir multas muy grandes que tal vez no pueden ser aminoradas.**
- **Es posible que también deba reparar o restaurar la estructura histórica.**
- **Si se permite que la estructura histórica se deteriore hasta el punto en que debe ser demolida:**
  - o **El Código de la Ciudad requiere el reemplazo de la estructura con una similar que sea apropiadamente histórica; y**
  - o **La propiedad ya no será elegible para una exención de impuestos por preservación histórica.**



**Adolfo Garcia**  
Code Enforcement Officer  
**305 569-1829**  
**agarcia2@coralgables.com**

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2020-33**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE BY AMENDING ARTICLE 3, "USES," SECTION 3-307, "PLAYHOUSE," SECTION 3-309, "RECREATIONAL EQUIPMENT," AND ARTICLE 16, "DEFINITIONS," CLARIFYING PROVISIONS FOR PLAY STRUCTURES AND RECREATIONAL EQUIPMENT; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

**WHEREAS**, at the direction of the City Commission, City Staff has proposed a Zoning Code text amendment clarifying provisions for play structures; and

**WHEREAS**, after notice was duly published, a public hearing was held before the Planning and Zoning Board on May 8, 2019, at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the Board was presented with the text amendment to the Official Zoning Code, and discussed the proposed text amendment; and

**WHEREAS**, a public hearing for First Reading was held before the City Commission on December 10, 2019, at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on First Reading (vote: 5-0); and

**WHEREAS**, after notice was duly published, a public hearing was held before the Planning and Zoning Board on January 8, 2020, at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the Board was presented with the text amendment to the Official Zoning Code, and after due consideration and discussion, recommended approval (vote: 6-0); and

**WHEREAS**, the City Commission was presented with a text amendment to the Zoning Code on Second Reading;

**NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:**

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

**SECTION 2.** The Official Zoning Code of the City of Coral Gables is hereby amended

SECTION 2. The Official Zoning Code of the City of Coral Gables is hereby amended as follows<sup>1</sup>:

**ARTICLE 3 – USES**

**Section 3-307. Playhouse Play structures and recreational equipment.**

~~A playhouse~~ Play structures and recreational equipment shall be permitted as an accessory use to any residential-use Single-Family Residential District (SFR) in the rear yard or side yard, and may include swing sets, jungle gyms, and sport and exercise equipment.

Play structures shall be subject to the following conditions and restrictions:

- A. ~~Such playhouse shall be of concrete block stucco construction with tile roof~~ Shall require a no fee zoning permit and shall be designed and constructed to playground standards.
- B. ~~Shall not exceed The ground dimensions thereof shall not exceed twelve (12) six (6) feet by twelve (12) six (6) sixty (60) square feet.~~
- C. ~~The headroom therein shall not exceed five (5) feet~~ Shall not require permanent foundations.
- D. Shall not include ~~No plumbing, mechanical, electrical, or other systems that require a Building Permit per the Florida Building Code facilities or fixtures shall be installed therein.~~
- E. ~~Such playhouse s~~ Shall be screened by shrubbery landscape or wall to obscure the view of such playhouse from the street neighboring properties.
- F. ~~Shall be located in~~ be in the rear yard or side yard, and shall maintain the minimum setback of auxiliary structures except as follows:
  - a. If screened from neighboring properties, the setback may be reduced to two (2) feet six (6) inches.
- G. Shall not be plainly visible from any public street or public right of way.
- H. Shall not interfere with any overhead utilities and shall comply with FPL standards.

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**~~Section 3-309. Recreational equipment.~~**

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<sup>1</sup> Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

~~Non-movable recreational equipment including swing sets, jungle gyms, basketball poles, etc., are permitted to be placed, kept or maintained in any interior side or rear yard only.~~

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## **ARTICLE 16 – DEFINITIONS**

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**Playhouse structure** means a freestanding accessory structure designed exclusively for the use of children.

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**SECTION 3.** All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 4.** If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 5.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the “Zoning Code” of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

**SECTION 6.** If the Official Zoning Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

**SECTION 7.** This Ordinance shall become effective upon the date of its passage and adoption herein.

2020.

PASSED AND ADOPTED THIS EIGHTH DAY OF DECEMBER, A.D.

(Moved: Lago / Seconded: Mena)  
(Yeas: Fors, Jr., Lago Mena, Valdes-Fauli)  
(Nays: Keon)  
(Majority (4-1) Vote)  
(Agenda Item: F-1)

APPROVED:



RAUL VALDES-FAULI  
MAYOR

ATTEST:



BILLY Y. URQUIA  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS  
CITY ATTORNEY