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**From:** mark wallace

**Sent:** Sunday, April 10, 2022 2:07 PM

**To:** Vilato, Kenneth

**Cc:** mark@digital.net; Cabrera, Suramy; Suarez, Cristina; Cutie, Ivonne; Sheppard, Terri; Diaz, Hermes; Quintanilla, Valeria; PWdepartment; Rivera, Jorge; Aguila, Alba; Wiesse, Pilar; Espinal, Jeanne; Cejas, Devin; Bell-Llewellyn, Deena; Lopez, Manuel; Trias, Ramon; Pino, Jorge

**Subject:** Re: 902 Roderigo/NOV #CE305845

**CAUTION:** External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you Mr. Vilato,

I will follow up with Mr. Pino at the building department and keep you copied on all correspondence.

Have a great rest of your weekend.

thanks,  
mark

mark wallace  
wallace + perdomo, inc.  
902 roderigo avenue  
coral gables, florida 33134  
(305) 772-1972m

sent from my smith-corona

On Apr 10, 2022, at 8:33 AM, Vilato, Kenneth <[kvilato@coralgables.com](mailto:kvilato@coralgables.com)> wrote:

Mr Wallace,

For approval of the convex mirrors that are installed, you will need a formal application with the building department. I have included Jorge Pino to assist you with the application and any questions regarding other approved permits. Here is Jorge's direct contact information

Pino, Jorge - Mobile Permitting Coordinator

Email:[jpino@coralgables.com](mailto:jpino@coralgables.com)

Phone:305-460-5272

Thank you

Sent from [Mail](#) for Windows

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**From:** [Mark Wallace](#)

**Sent:** Monday, March 14, 2022 1:58 PM

**To:** [Cabrera, Suramy](#); [Suarez, Cristina](#); [Vilato, Kenneth](#); [Cutie, Ivonne](#); [Sheppard, Terri](#); [Diaz, Hermes](#); [Quintanilla, Valeria](#); [PWdepartment](#); [Rivera, Jorge](#); [Aguila, Alba](#); [Wiesse, Pilar](#); [Espinal, Jeanne](#); [Cejas, Devin](#); [Bell-Llewellyn, Deena](#); [Lopez, Manuel](#); [Trias, Ramon](#)

**Subject:** 902 Roderigo/NOV #CE305845

**CAUTION:** External email. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Vilato,

In response to your Notice of Violation #CE305845 at my residence, 902 Roderigo Avenue, I have read the specific article of the Zoning Code and note the following:

1. The intent of the Code is presumed for safety purposes to mitigate possible pedestrian/vehicle conflicts;
2. The Code is very specific that visibility should be provided with NO visual obstructions between a height of 2-1/2 feet and 8 feet above grade;
3. The Code is specific that the visibility triangle requiring these clearances is a 10 foot by 10 foot right triangle from the back of sidewalk extending into the property;
4. That the Building and Zoning Director may approve and require the use of convex mirrors.

My comments on the above are as follows:

1. I have lived at this residence for 17 years (since 2005) and there has not been any accident at the driveway involving other vehicles or pedestrians. There is no evidence in your Zoning Records nor in the Police records. The truth of the matter is that we enter and exit our driveway slowly and carefully to allow any cars or pedestrians to see us, and for us to see them;
2. I have visually observed countless examples of obstructions by walls, hedges, trees and other obstructions within a 10 foot visibility triangle throughout the City. I can count about 20 examples on my way to work each morning. However, the most interesting example is at 445 Alhambra Circle. I would encourage you to examine your building permit records for this property. Within the last 6 months, it appears that a permit was issued to construct a fence around the property, which was subsequently constructed and I presume inspected numerous times till it received a CO. Please see the attached images and note the following:
  - a. There are 3 driveway openings (2 on Hernando and 1 on Alhambra);

- b. As seen in the photos, there is a brick faced pier on either side of the driveway opening that exceeds 2-1/2 feet in height. In addition, the picket fence on each side is also more than 2-1/2 feet in height.
- c. Although I would agree that the visibility is fine, I would also note that the Code does NOT allow for ANY obstruction within the 2-1/2 foot to 8 foot height, excepting special approval by the Building and Zoning Director WITH the use of convex mirrors;
- d. There are no convex mirrors evident in at the 3 driveways.

Based on this observance, I would have to conclude that there is some room for interpretation to the Code as to what is an obstruction. Clearly the above property has obstructions within the visibility triangle, but somehow was granted a permit to construct those obstructions, was inspected numerous times, and is not currently subject to an NOV.

3. At my property, we do indeed have hedges within that 2-1/2 foot to 8 foot height with the visibility triangle. However, we appreciate the privacy that this provides to both us and our neighbor, and desire to keep these hedges as they have existed - incident free – for over 17 years (and very likely long before that).
  - a. We have installed convex mirrors to aid in visibility, and have received complements from our neighbors on same. We feel that this increase the safety factor of our driveways, and is indeed a solution that is apparently allowable for grandfathered conditions.
  - b. It is our understanding from discussion with you that you received an anonymous complaint from someone regarding our specific property. I would like the opportunity to review that anonymous complaint (SURELY there must be a recording or transcript of same) and see if there is a possibility that that complaint can be satisfied with the installation of convex mirrors.
4. By this email, I respectfully request that the Building and Zoning Director approve the use of convex mirrors.

thanks,  
mark

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Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

