

CITY OF CORAL GABLES, FLORIDA
OFFICE OF THE CITY CLERK

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APPLICATION FOR APPEAL FROM BOARD OF ADJUSTMENT

2015 SEP 23 PM 3:17

NAME: Leonardo L. Cornide
ADDRESS: 4635 GRANADA Boulevard, Coral Gables
PHONE: 305-799-9001

The undersigned hereby appeals the decision of the Board of Adjustment of the City of Coral Gables, Florida, made at its meeting of September 14, 2015, in which it () granted, (✓) denied an application for a Variance to Ordinance No. 1525, as amended and known as the "Zoning Code," to permit the following:

APPLICATION NO. BA-14-12-3657.2

Describe what is being appealed:

The Board of Adjustment Resolution BA-14-12-3657 denied item :

- 1) Grant A variance to allow the proposed gazebo to maintain twenty three foot eight inches (23'8") rear setback distance from the waterway vs. A minimum of thirty five feet (35'0") rear setback distance from the waterway, lake or bay as platted as required by Sections 4-101 (D)(4)(d) and 4-101(D)(5) of the Coral Gables "Zoning Code."



Signature of Applicant

9-22-15
Date

Subject property located at: 4635 GRANADA Boulevard
Coral Gables FL 33146

Subject property legally described as: Coral Gables County Club Sec 5
PB 23-55 - Lots 4 & 5 AND PT of UNDUG W/W
LYG ADJ THERETO BLK 110 OR 18412-306412981

Owner/Applicant Appeal Fee: \$913.50, Z.C. §24-8(a)5 and Z.C. §26-2
Aggrieved Party Fee: \$913.50

The Board of Adjustment shall have power to construe the provisions of the Zoning Code so that the spirit and the true purpose thereof may be observed. Variances to the Zoning Code may be granted by the Board of Adjustment only after a hearing has been held at which persons interested and/or affected shall be accorded an opportunity to be heard.

DECISIONS OF THE BOARD OF ADJUSTMENT

All decisions of the Board of Adjustment shall be by Resolution. Within ten days (10) from the date of such decision, any Resolution of the Board of Adjustment may be appealed to the City Commission, as explained below; otherwise the Resolution shall become final.

APPEAL FROM A DECISION OF THE BOARD OF ADJUSTMENT

An appeal from a decision of the Board of Adjustment upon any matter initiated before such Board or before it upon appeal from the decision of Staff, or any Administrative Official of the City may be taken to the City Commission by any person who is aggrieved by such decision, or by any Officer of the City. Any person desiring to appeal a decision of the Board of Adjustment, shall, within ten (10) days from the date of such decision, file a written notice of appeal with the City Clerk, whose duty it shall then become to send written notice of such appeal to all persons previously notified by the Board of Adjustment. The matter shall then be heard by the City Commission at its next meeting provided at least ten (10) days have intervened between the time of the filing of the notice of appeal and the date of such meeting, if ten (10) days shall not intervene between the time of the filing of the notice and the date of the next meeting, then the appeal shall be heard at the next following regular meeting of the City Commission. If the Applicant files the appeal, he shall pay to the City Clerk a fee of nine hundred thirteen dollars and fifty cents (\$913.50) at the time of filing of such notice of appeal. An appeal shall stay all proceedings in the matter appealed until acted on by the City Commission.

Any proposed variance which has failed to receive the recommendations of the Board of Adjustment shall not be passed except by the affirmative vote of three-fifths (3/5) of all the members of the City Commission.

PLEASE NOTE

It is the responsibility of the party filing an appeal of the decision of the Board of Adjustment to obtain the transcript from the court reporter and to provide fifteen (15) copies to the City Manager's office on or before the Wednesday prior to the Tuesday's City Commission meeting at which time the appeal will be heard and one (1) copy to the Office of the City Clerk.

Contact:

Bailey & Sanchez Court Reporting
28 West Flagler Street, Suite 555
Miami, Florida 33130
(305) 358-2829

APPEAL FROM THE DECISION OF THE CITY COMMISSION

Any appeal from the decision of the City Commission may be taken by any person or persons, jointly or severally, aggrieved by any decision of the City Commission by presenting to the Circuit Court a petition for issuance of a writ of certiorari, duly certified, setting forth that such decision is illegal, in whole or in part certifying the grounds of illegality, provided same is done in the manner and within the time provided by Florida Appellate Rules.

All interested persons are advised that if they decide to appeal any decision made by the Board of Adjustment on this item, they will need a record of the proceedings of the Board of Adjustment meeting(s) and therefore may need to ensure that a verbatim record of the proceedings are made, which record includes the testimony and evidence upon which the appeal is to be based.

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