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CITY OF CORAL GABLES  
PLANNING AND ZONING BOARD MEETING  
VERBATIM TRANSCRIPT

CORAL GABLES CITY COMMISSION CHAMBERS  
405 BILTMORE WAY, CORAL GABLES  
MARCH 16, 2005, 6:15 P.M.

Board Members Present:

- Cristina Moreno, Chairwoman
- F. Michael Steffens, Vice-Chair
- Eibi Aizenstat
- Pat Keon
- Bill Mayville
- Michael Tein

City Staff:

- Eric Riel, Jr., Planning Director
- Walter Carlson, Assistant Planning Director
- Dennis Smith, Assistant Building & Zoning Director
- Jill Menendez-Duran, Administrative Assistant

Also participating:

- Charles Siemon
- Daniel Fryer
- Andres Murai
- Melissa Bassett
- Michael Kerwin
- Zeke Guilford, Esq.  
On behalf of Hibou, LLC
- Mamta Chaudhry-Fryer
- Laura L. Russo, Esq.  
On behalf of Gables Estates Club
- Jose Roque
- Frank Perez
- Jose Cue
- Jorge Hernandez
- Daphne Gurri
- Ramon Pacheco
- Eberto A. Vitier
- Pedro Bravo

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1       THEREUPON:

2               The following proceedings were had:

3               CHAIRWOMAN MORENO:  The Planning & Zoning  
4 Board meeting for this evening will come to order.  
5 Thank you.

6               Jill, will you call the roll, please?

7               MS. MENENDEZ-DURAN:  Eibi Aizenstat?

8               MR. AIZENSTAT:  Present.

9               MS. MENENDEZ-DURAN:  Pat Keon?

10              Tom Korge?

11              Bill Mayville?

12              Michael Tein?

13              MR. TIEN:  Present.

14              MS. MENENDEZ-DURAN:  Michael Steffens?

15              MR. STEFFENS:  Here.

16              MS. MENENDEZ-DURAN:  Cristina Moreno?

17              CHAIRWOMAN MORENO:  Here.

18              The first item on the agenda is approval of  
19 the minutes of the January 19th and February 23rd  
20 minutes, and I believe we're going to need to skip  
21 over that one, because we do not have -- we do not  
22 have enough people here to approve that, I don't  
23 think.

24              MR. STEFFENS:  I have both of them.

25              MR. AIZENSTAT:  How many do we need?

1                   CHAIRWOMAN MORENO: Well, the problem is,  
2 Michael was not present, so he's not going to be able  
3 to vote.

4                   MR. AIZENSTAT: So he can't approve it.

5                   CHAIRWOMAN MORENO: Okay, Mr. Riel, I  
6 propose to take Item 4, the single-family residence  
7 issue, first, if you would like to start with that.

8                   MR. RIEL: Okay.

9                   CHAIRWOMAN MORENO: And if more Board  
10 Members come in, I may go back to the approval of the  
11 minutes.

12                   MR. RIEL: Okay.

13                   CHAIRWOMAN MORENO: Because one of the four  
14 who is here was not present at those meetings, so I  
15 don't believe it's proper to take that approval at  
16 this time.

17                   MR. RIEL: Okay, the item of discussion is  
18 Number 4 on the agenda, public hearing item for the  
19 Planning & Zoning Board and Local Planning Agency:  
20 Interim provisions regulating the size of  
21 single-family residences.

22                   Just for the information of the Board, as  
23 well as the members of the public, this issue will be  
24 also discussed at the April 5th, 2005 City Commission  
25 meeting.

1           What I'd like to do is just make a couple  
2 introductory comments and then turn it over to two  
3 presenters that we have this evening.

4           Basically, what happened was, on March 8th,  
5 the City Commission directed the City Manager to take  
6 to the Planning & Zoning Board interim regulations  
7 that deal with the size of single-family residences.

8           To make sure we got the word out to the  
9 public, I advised the Board the evening of the March  
10 9th meeting, and also, just for a matter of record,  
11 I'd like to enter into the record, we did do a legal  
12 advertisement in the paper on March 10th. We  
13 utilized all media contacts we could by sending out  
14 an E-News. We had a public hearing notice posted on  
15 the web, as well as Channel 77, as well as within  
16 City Hall, and we also -- the Department also has a  
17 courtesy notification list, which are people that  
18 have participated in the Zoning Code rewrite. It's  
19 basically an e-mail list, a subscription list, which  
20 is approximately 50 or 60 people. I also sent out  
21 the agenda to them, as well, and advised them of the  
22 meeting.

23           We do have copies of the provisions  
24 available. They're on the yellow sheets that are  
25 available over here at the secretary.

1           I would also note that we do have a letter  
2 submitted by Board Member Tom Korge, who obviously  
3 could not be here this evening. I'd also like to  
4 enter that into the record, and you have a copy in  
5 front of you. It's a white one-page summary.

6           And then we also have received public  
7 comments. As you know, we have a separate e-mail  
8 address called Rewrite Comments. We have also  
9 provided you public comments that we had received up  
10 until as late as two or three o'clock this afternoon,  
11 and those are in front of you, as well.

12           So, at this time, what I'd like to do is --  
13 as I said, we have two presenters. Mr. Dennis Smith,  
14 Assistant Building & Zoning Director, will present  
15 the interim regulations. Then after that, he'll turn  
16 it over to Mr. Charlie Siemon, who's our legal  
17 counsel/planning consultant, who will also discuss  
18 some other alternatives that are available in terms  
19 of the possible regulation regarding single-family  
20 residences.

21           So, with that, I'll turn it over to Mr.  
22 Smith.

23           MR. SMITH: Madam Chair, Members of the  
24 Board, good evening.

25           This issue deals with the size of homes and

1 the massing of homes in the City of Coral Gables.  
2 The Commission has expressed concern over the size of  
3 a lot of the homes that are being constructed in the  
4 City, and they've asked us to look at doing something  
5 on an interim basis to address the issue.

6 (Thereupon, Pat Keon entered the Commission  
7 Chambers.)

8 MR. SMITH: The provisions that apply to the  
9 size of homes in our existing Zoning Code --  
10 actually, there's four calculations that we do, when  
11 we look at a single-family residence, either as a new  
12 residence or as an addition to the residence.

13 Presently, we have to check the lot  
14 coverage, and there's two lot coverage calculations,  
15 the principal lot coverage, which is the lot coverage  
16 for the house alone, and that's 35 percent throughout  
17 the City, except in a couple of the annexed areas  
18 it's 15 percent, where that's what it was when it was  
19 in Dade County; the second lot coverage provision  
20 that we check is the principal and accessory use lot  
21 coverage, that checks the overall lot coverage for  
22 the principal structure and for any accessory  
23 structure, like a detached garage or a swimming pool  
24 or a screen enclosure. Those provisions, we're not  
25 proposing to change tonight.

1           The provisions we are proposing is what we  
2 call the floor area factor, and that's where we  
3 calculate the maximum floor area in a single-family  
4 residence.

5           Another thing that we look at and we're  
6 going to deal with when we do the proposed Zoning  
7 Code is the minimum floor area requirement. You  
8 know, when the City started off, the problem the City  
9 had was getting people to create a minimum size  
10 building on a building site, and with, you know, the  
11 nearly 80 years that have passed since the inception  
12 of the City, that has changed quite a bit. Now  
13 people want to build to their maximum allowable  
14 square footage. The -- and we control that with  
15 floor area factor, and floor area factor, we call it  
16 that for single-family residences because it's a  
17 factor of the size of the lot. It's a number less  
18 than one.

19           In commercial and multi-family, where you  
20 have a larger -- a number larger than one, an FAR of  
21 three or an FAR of two, we call it floor area ratio,  
22 because that's a ratio. So this is just the  
23 terminology that we use in the existing Code.

24           About 23 years ago, we didn't have any  
25 provisions for floor area factor. What governed

1 then -- just to give you a little historical  
2 perspective, what governed then was the lot coverage  
3 and the permitted height of the residence, and you  
4 could build a two-story residence with 35 percent lot  
5 coverage, which would give you a house equal to 70  
6 percent of the area of the building site, and we  
7 started to get larger homes and the City decided then  
8 that they wanted to establish some kind of  
9 requirements to control the bulk and massing of  
10 single-family residences in the City, and they first  
11 adopted the floor area factor requirements.

12           We had those requirements in effect for  
13 about 10 years, and after 10 years we did a study to  
14 see how those requirements were working, what were  
15 they really doing to the residences that were being  
16 designed under those requirements. When we did that  
17 study, we decided that we had to really define how we  
18 calculated the floor area factor for a single-family  
19 residence. When we initially started it, we counted  
20 everything. We counted open porches, covered  
21 porches. We counted garages. We counted all the  
22 actual floor area, but what we didn't count was the  
23 two-story high volume ceilings.

24           So what we found we were doing is, we  
25 weren't really controlling the massing, we were

1 controlling the square footage of the residence, and  
2 we wanted to work to make this more appropriate in  
3 controlling the massing.

4           So we made a list of things that we were  
5 going to count and things that we weren't going to  
6 count in certain cases. Pretty much, we count all of  
7 your normal interior floor area, your living room,  
8 kitchen, the hallways, the utility rooms, the  
9 bathrooms, everything like that.

10           Now, if you have a two-story volume in your  
11 house, we count that twice against your permitted  
12 floor area, so that it picks up that volume. We came  
13 up with a provision that if you had a one-story  
14 garage in the front of the house, that you would only  
15 count it one half, and the reason we did that was  
16 because that would help push the mass of the house  
17 back, if it had a one-story garage element in front  
18 of it.

19           (Thereupon, Mr. Mayville entered the  
20 Commission Chambers.)

21           MR. SMITH: Then the other thing that we did  
22 is, we decided -- What we noticed is that when we  
23 originally wrote the ordinance, we were counting  
24 covered porches on the front of residences. Well,  
25 the architects and developers at the time would just

1 remove the covered porch, and then you'd have a very  
2 flat facade on the building. So we said we're not  
3 going to count the covered porches, because those,  
4 too, helped to push back the mass of the house and,  
5 you know, give it a better appearance and reduce the  
6 massing as it is viewed from the street.

7           The way that we calculate the maximum  
8 permitted floor area, what is allowed on a site, is  
9 based on the size of the building site itself, and we  
10 developed a progression based on 5,000-square-foot  
11 increments.

12           For the first 5,000 square feet of site  
13 area, on a basic 50-by-100-foot lot, you could have  
14 48 percent lot coverage, okay, or 48 percent floor  
15 area factor, which would give you a house of 2,400  
16 square feet.

17           The next increment was 10,000 square feet,  
18 where you could have, for the next 5,000 square feet,  
19 an additional 35 percent of the site area for floor  
20 area. So, on a 10,000-square-foot site, you could  
21 have 4,150 square feet of house.

22           The next increment was, after 10,000 square  
23 feet, everything was counted at 30 percent. So you  
24 could have on a -- up to a 15,000-square-foot site, a  
25 5,650-square-foot house.

1           When you -- and I'm sorry I didn't have a  
2 chance to plot this out, but when you plot this out,  
3 you'll notice that the larger the site gets, the more  
4 square footage you could have in a house, but at a  
5 smaller percentage.

6           I've done a comparative chart for you, to  
7 show what the effect of what we're proposing would  
8 have on the actual square footages. The three areas  
9 that we're recommending changes on is, number one,  
10 how much square footage a building site will get;  
11 number two, how we're going to calculate that square  
12 footage in the residence; and then number three, we  
13 looked at our landscaping requirements a little bit.

14           The change on the permitted square footage  
15 for single-family residences reduces -- we're keeping  
16 48 percent for the first 5,000 square feet of site  
17 area. We don't have -- because that is a small house  
18 for a 5,000-square-foot site. That is not a very  
19 large house. And we don't have very many sites,  
20 single-family residence sites, that are below 5,000  
21 square feet. We've got a few, but not a lot. So  
22 that's a good number to keep with.

23           The second level, above 5,000, between five  
24 and ten thousand square feet, we're reducing it from  
25 35 percent to 25 percent, and then for the --

1 everything after 10,000 square feet, we're reducing  
2 it from 30 percent to 20 percent.

3 Now, what that does, interestingly, if you  
4 look at the table, you'll notice that as you go up in  
5 area for the building site, in 1,000-square-foot  
6 increments, for each 1,000 square feet you go up  
7 above that 5,000 square feet, you lose 100 square  
8 feet of buildable area in the house. So that's going  
9 to be the reduction that we're proposing, based on  
10 actual building site sizes, for a lot of these  
11 residences.

12 The second thing that we're going to propose  
13 changing is, in determining the maximum square foot  
14 floor area, we're going to propose that the floor  
15 space in rooftop terraces or covered terraces at the  
16 roof, at the second floor of a house, be counted in  
17 the floor area. A lot of times, these are placed at  
18 the back of the home, and what that does is, that  
19 pushes the second floor of the house forward, towards  
20 the front, and even if it's placed at the front of  
21 the home, they usually do it in a nominal -- minimal  
22 manner, and that will take space out of the second  
23 floor of the home. But on the ground floor, if they  
24 do terraces and breezeways and open porches that are  
25 only one story in height, those will not count

1 against them in the floor area calculation, which  
2 they currently do not count now, and we're hoping  
3 those one-story elements help give a little variety  
4 to the mass of the residences, so that you don't have  
5 the box, or if you do have the box, it becomes  
6 articulated a little bit more, with either a  
7 breezeway or a porch, a lot like what you see in  
8 traditional homes in Coral Gables, with the front  
9 porch that's one story on the front of it.

10           Then, finally, in determining the square  
11 foot floor area, we're putting some language in there  
12 to give the Board of Architects a little more  
13 authority, because right now, they feel that they  
14 don't have any authority, and they really don't. If  
15 the Code says you can do this, you can do this. This  
16 gives the Board of Architects the authority, within  
17 these guidelines, to recommend and suggest changes to  
18 architects designing single-family homes that they  
19 feel in their best judgment will be appropriate to  
20 the maintenance of the high standard of construction,  
21 architecture, beauty and harmony, in the carrying out  
22 of the provisions of this section of the Code. Those  
23 are the things that we're doing specifically for  
24 floor area factor.

25           The last thing is, in looking at this, our

1 landscaping requirement for single-family residences  
2 currently is 35 percent, and we felt that an increase  
3 up to 40 percent would be appropriate. It's going to  
4 reduce the amount of pervious paved area on the  
5 smaller lots, and in reality, on a lot of the smaller  
6 lots now, with the new H.R.S. requirements, they're  
7 providing more green space, so that they can meet the  
8 septic tank requirements.

9           On larger lots, they go above the 35  
10 percent, anyways, so I want to give them something  
11 that they can shoot for achieving a little greater  
12 standard than the 35 percent that we currently  
13 require.

14           And the other thing is, you know, when you  
15 see a new home go in, and before they do the  
16 landscaping, and that first year before the  
17 landscaping matures and fills out, that home looks  
18 pretty bare. You know, it looks bigger than it looks  
19 a year later. Once the landscaping has matured, it  
20 helps to blend it into the community some more. So  
21 we think some more landscaping will help to  
22 accomplish that goal.

23           And that's what we're proposing today. If  
24 any Member of the Board has any questions, I'd be  
25 more than happy to answer them.

1 CHAIRWOMAN MORENO: I have several, but I'm  
2 willing to defer to the architect.

3 MR. STEFFENS: What's the difference between  
4 a breezeway and porch?

5 MR. SMITH: A breezeway goes through the  
6 structure. A porch is along the front or side or  
7 rear of the structure.

8 MR. STEFFENS: Can you have a screened-in  
9 breezeway?

10 MR. SMITH: If you have a screened-in  
11 breezeway, that would be a screened porch, by  
12 definition, and then it would be covered under the  
13 screened porch provision.

14 MR. STEFFENS: So could you have screened-in  
15 room at the back of the house, and that's not a  
16 porch, or that would be a porch, also?

17 MR. SMITH: If you had a screened-in room at  
18 the back of the house, that would be a screened porch  
19 and be covered under those provisions.

20 MR. STEFFENS: So anything that's screened  
21 in is a screened porch, and it's covered under those  
22 provisions?

23 MR. SMITH: That's correct.

24 MR. STEFFENS: How about a pool enclosure?

25 MR. SMITH: A screen enclosure is not

1 included in the floor area factor calculation.

2 MR. STEFFENS: So that's not a porch?

3 MR. SMITH: No. A porch has a solid roof  
4 covering, as in, enclosed by two walls, two or more  
5 walls.

6 CHAIRWOMAN MORENO: Okay. First of all, the  
7 half count for the garage, why are we keeping that?  
8 That resulted in, I think, some of the ugliest  
9 architecture that we have in the north part of Coral  
10 Gables, where all you see is the garage.

11 MR. SMITH: We're keeping that because we  
12 didn't have that provision before, and it was much  
13 worse, when you -- That may not, you know, be  
14 pleasant to you, but actually, it helped to break  
15 down the mass of a lot of residences a lot more. On  
16 50-foot lots, where it is really utilized, you have  
17 to put the garage on the front of the house, anyways.

18 CHAIRWOMAN MORENO: But I think it would be  
19 better if it was recessed back.

20 MR. SMITH: And to bring a two-story house  
21 closer to the front?

22 CHAIRWOMAN MORENO: I don't know, but to me,  
23 those designs where the garage is all you see, and  
24 the garage comes out forward and then the house is  
25 behind, covered up by the garage, I don't see that

1 that's architecturally desirable.

2 MR. SMITH: Well, I'll tell you, for right  
3 now, these are interim provisions --

4 CHAIRWOMAN MORENO: Uh-huh.

5 MR. SMITH: -- and we're going to be looking  
6 at some of those things, more detailed, in the  
7 future, and at this point in time, I wouldn't  
8 recommend that we change that, but that is something  
9 that we can consider and look at. I know it's an  
10 issue that has been discussed, but we weren't ready  
11 to address that now.

12 CHAIRWOMAN MORENO: On the landscaping  
13 section, did you consider requiring that where houses  
14 are built within a certain distance of the  
15 neighboring house, some shielding landscaping be  
16 required?

17 MR. SMITH: No.

18 CHAIRWOMAN MORENO: Because I think one of  
19 the issues is privacy.

20 MR. SMITH: Uh-huh. The landscaping, we get  
21 a lot of complaints about tall hedges between  
22 properties, hedges that one wants it and one doesn't,  
23 and then we get into -- We've had quite a number of  
24 disputes over that, one neighbor cutting the hedge  
25 down because it's grown over to the other neighbor's

1 property. A lot of people don't want hedges.

2 Right now, our requirement is set -- there's  
3 actually two requirements. There's our requirement  
4 and then there's the requirement of Miami-Dade  
5 County. We have a requirement that a certain  
6 percentage of the site be landscaped, and they have a  
7 requirement that's applied County-wide on the  
8 material types, and they have a mulching requirement  
9 and the number of trees, the number of shrubs, the  
10 percentage of grass area and things like that.

11 CHAIRWOMAN MORENO: What happens to houses  
12 that are already built and don't meet these new  
13 requirements?

14 MR. SMITH: They'll be legally  
15 nonconforming.

16 CHAIRWOMAN MORENO: And if they blow down in  
17 a hurricane, what happens?

18 MR. SMITH: They would have to be  
19 constructed according to these regulations, just like  
20 any new house would have to be.

21 CHAIRWOMAN MORENO: So there's no short  
22 period for them to be able to build up to their old  
23 size?

24 MR. SMITH: No.

25 CHAIRWOMAN MORENO: So it's a legal

1 nonconforming. That means that if there's  
2 substantial damage and you go over the 50 percent  
3 rule, you've got to conform?

4 MR. SMITH: That's correct.

5 MR. MAYVILLE: What happens if they want to  
6 do a remodeling? Let's say, in 20 years, they want  
7 to do remodeling of the house. Would they have to  
8 change the whole house?

9 MR. SMITH: They wouldn't have to change the  
10 whole house unless the remodeling was so extensive  
11 that we determined that it essentially was a new  
12 house.

13 MR. MAYVILLE: Well, let's say, you know,  
14 they basically gutted the inside of the house but  
15 kept the basic structure of the house. Would they  
16 have to, in essence, knock down exterior walls and  
17 bring it in or --

18 MR. SMITH: If the cost of the remodeling  
19 exceeds 50 percent of the replacement value of the  
20 house, then they would have to comply with the new  
21 regulations.

22 MR. MAYVILLE: Okay.

23 MR. AIZENSTAT: Dennis, if I may, a couple  
24 of questions. One was on the landscaping. As  
25 opposed to requiring more landscaping, should we look

1 at a certain size of landscaping, a certain diameter  
2 of trees, or field grown, pot grown, and so forth?

3 MR. SMITH: There's a -- in the Dade County  
4 landscaping ordinance, they've got a lot of that  
5 stuff covered, in quite a bit of detail, and they  
6 have irrigation requirements and things like that.  
7 So that is covered in detail.

8 MR. AIZENSTAT: Just so the house doesn't  
9 look so bare when it's first built --

10 MR. SMITH: Uh-huh.

11 MR. AIZENSTAT: -- that it conforms more to  
12 the neighborhood and its surroundings.

13 MR. SMITH: When someone does a new house  
14 and they want to do the landscaping, they just can't  
15 sod the yard.

16 MR. AIZENSTAT: Right, but they could put  
17 maybe a small tree, where you would want more of a  
18 field-grown type of palm, as opposed to a small palm,  
19 that will in five years --

20 CHAIRWOMAN MORENO: How do the Dade County  
21 provisions that you're giving him as an answer apply  
22 to the City of Coral Gables?

23 MR. SMITH: We have to enforce them here.

24 MR. RIEL: They apply. They apply to all  
25 the municipalities, unless they opt out or have more

1 restrictive provisions.

2 We're actually going to be talking about  
3 that on May 18th, and that issue about single-family,  
4 we're actually going to address in terms of requiring  
5 more landscaping. So that will be brought back to  
6 the Board on the 18th.

7 MR. AIZENSTAT: The other question that I  
8 have, you're saying that if you have a porch on the  
9 first floor, it won't count, that's open?

10 MR. SMITH: It doesn't count now, and it  
11 will continue to not count if it's just the one story  
12 in height.

13 MR. AIZENSTAT: What about if the house is  
14 done in such a way that it's a two-story type house  
15 and people might want to have an open porch, so it  
16 goes up? Then it's going to count?

17 MR. SMITH: Then it's going to count.

18 MR. AIZENSTAT: Are you not afraid that  
19 maybe people will start doing some type of designs  
20 that really won't look good or will detract from the  
21 surrounding homes?

22 MR. SMITH: That's why we gave the  
23 additional language to the Board of Architects, for  
24 control over that.

25 MR. AIZENSTAT: So that's how you're

1 covering that?

2 MR. SMITH: That's correct.

3 MR. STEFFENS: So the Board of Architects  
4 could overrule the FAF table?

5 MR. SMITH: Pardon me?

6 MR. STEFFENS: The Board of Architects can  
7 overrule the FAF table?

8 MR. SMITH: No, they can't overrule the FAF  
9 table, because that's a calculation, okay? But how  
10 the components are put together, or if someone  
11 doesn't have a front porch, they can suggest or  
12 recommend or require them to have a front porch, to  
13 help break up that massing now, where previously,  
14 they couldn't do that. They can recommend that they  
15 do things to help break up the massing more easily  
16 under these provisions.

17 MR. STEFFENS: But if a two-story front  
18 porch would break up the massing, then they're going  
19 to be penalized for adding a two-story front porch.

20 MR. SMITH: Well, I think the thought is  
21 that --

22 MR. STEFFENS: A porch that's over 15 feet.

23 MR. SMITH: I think the thought is that, in  
24 most cases where we've seen two-story front porches,  
25 they've just added to the massiveness of the home,

1 because they go up, you know, so high. I can think  
2 of one on Sunset that really added to the massiveness  
3 of the house.

4 MR. STEFFENS: On the landscaping  
5 provisions, did you look at staggering the  
6 landscaping provisions, like you staggered the FAF  
7 calculations, so that it doesn't affect the smaller  
8 lots as much as it would affect the larger lots?

9 MR. SMITH: Actually, I think it's more  
10 beneficial, in the long term, for smaller lots to  
11 have the more required landscaping, the greater  
12 amount of landscaping, than it is for the larger  
13 lots, because they end up doing it because of the  
14 septic tank requirements.

15 MR. STEFFENS: Well, there's a lot of new  
16 septic tank technology coming out that's addressing  
17 that.

18 MR. SMITH: Yeah, but as they address that,  
19 H.R.S. requires larger and larger --

20 MR. AIZENSTAT: I think they're actually  
21 shrinking them down and ventilating them in certain  
22 ways so they're able to do them more and it's more  
23 compact.

24 MR. SMITH: Well, in addition to the  
25 drainfield, now there's an area beyond the

1 drainfield --

2 MR. STEFFENS: Right.

3 MR. SMITH: -- that you have to maintain  
4 clear.

5 MR. STEFFENS: But there's new drainfield  
6 technology that shrinks that even further, that  
7 they're just starting right now.

8 MR. SMITH: Which some of that technology  
9 concerns me, because some of that technology comes  
10 above the ground.

11 MR. STEFFENS: The other thing is, most of  
12 that -- I would assume that most of that additional  
13 area on small lots is going to end up in the back,  
14 where you'll never see it.

15 MR. SMITH: Pardon me?

16 MR. STEFFENS: Most of that additional  
17 landscaping area on the small lots is probably going  
18 to end up in the back of the property, where it will  
19 never effect perceived additional landscaping that  
20 you're looking for on this property.

21 MR. SMITH: It could. We're not dictating  
22 where it should go on the site, and if they put it in  
23 the back of the property, then that will afford  
24 additional buffering from the back neighbor.

25 The thing is, with these things, you know,

1 where -- where the building is on the site is what's  
2 going to dictate that, and the type of site that the  
3 architect is dealing with.

4 MR. STEFFENS: Did you look at actually  
5 addressing the massing more specifically? Because in  
6 my mind, the smaller lots, the massing problem has to  
7 do with floor-to-floor heights and not with square  
8 footage. There's some houses that have been built in  
9 the North Gables that must have 12 or 13 or 14-foot  
10 floor-to-floor heights, for two floors, and the  
11 houses look completely out of proportion, vertically,  
12 with all their neighbors, not necessarily in the  
13 footprint, but vertically, and it would seem to me  
14 that we would need to look at massing in that  
15 dimension and not in the horizontal dimension,  
16 especially on the smaller lots, because you're  
17 penalizing the smaller lots substantially, and I  
18 think, you know, if you look at the 6,000-square-foot  
19 lot, you're taking out a hundred square feet. That's  
20 almost a bedroom. On a small house, to take out  
21 almost a bedroom is a big, big penalty, and I don't  
22 think --

23 MR. SMITH: But that will -- that will  
24 reduce the mass of that house.

25 MR. STEFFENS: I know it will reduce the

1 mass of that house, but it's not going to reduce the  
2 mass if they have 12-foot ceiling heights inside.  
3 You know, I mean, they'll build up to the 35-foot  
4 height, with 12-foot ceilings inside, and it will  
5 look overwhelming in a neighborhood with 100 square  
6 feet less.

7 MR. SMITH: Well, and once again, that's  
8 where the Board of Architects language that is not  
9 there now, I hope, will help give the Board of  
10 Architects more authority to look at those cases,  
11 because there are some times when I think they would  
12 like to require a lower height on the house, that  
13 they will now be able to have more flexibility in  
14 doing that.

15 The other thing, too, was, like I said,  
16 these are interim provisions.

17 CHAIRWOMAN MORENO: Tom Korge has some  
18 questions that I find interesting, and I'd like you  
19 to address. His first one is, why would the floor  
20 space of a rooftop terrace be considered for the FAR  
21 calculation, when you're not doing it for the ground  
22 floor terraces, that that doesn't affect massing at  
23 all.

24 MR. SMITH: The -- yes, it does, because  
25 where we see rooftop terraces a lot are in the

1 back of the residence --

2 CHAIRWOMAN MORENO: Uh-huh.

3 MR. SMITH: -- or on a back corner, and that  
4 pushes the front of the second floor of the residence  
5 closer to the street and tends to make that side of  
6 the residence more boxy, and it gives it a bigger  
7 roof profile because that's more area to cover, and  
8 the larger the area that you have to cover with the  
9 roof, the taller the roof tends to be, is the way  
10 that they're being designed today.

11 So that is an attempt to help bring that  
12 down by, if we count that, they won't put that on the  
13 back. They'll bring the residence further to the  
14 back portion of the yard and reduce the size of the  
15 roof structure.

16 CHAIRWOMAN MORENO: But is that desirable?  
17 Because I think one of the issues is the loss of  
18 privacy by neighbors, from having that roof hanging  
19 right over them, right over their pool or whatever it  
20 is that they have in their back yards.

21 Why do we want to push it back, I guess, is  
22 what I'm saying, at the expense of the back neighbor,  
23 when perhaps moving it forward would be better,  
24 because at least you have a street between you and  
25 your other neighbor.

1           MR. STEFFENS: Or vice versa, if this does  
2 push the massing forward, and you want to encourage  
3 step massing in the front, wouldn't you want to  
4 encourage rooftop terraces on the front, that push  
5 the massing back?

6           MR. SMITH: We don't normally get requests  
7 to have the terraces on the front, and I can't think  
8 of a lot of cases where I've seen that.

9           MR. STEFFENS: There's a nice one on  
10 Anderson, in about the 3100 block --

11           MR. SMITH: But you don't get a lot of  
12 them.

13           MR. STEFFENS: -- that an architect in the  
14 back row did.

15           MR. SMITH: Uh-huh, but we -- you know, I  
16 just don't feel that that will -- I think that by  
17 not -- by counting them is going to do more to help  
18 reduce the massing, and the bottom line is, you can  
19 build to five feet of the property line on one side  
20 or the other. When the architect designs the home,  
21 the home is going to impact this one or it's going to  
22 impact that one or it's going to impact the one in  
23 the back or it's going to impact the public on the  
24 street, and I think that the concerns that I've  
25 heard, more so than the concern of impacting the

1 immediate neighbor, is the impact of the streetscape  
2 and the visual harmony of the community.

3 CHAIRWOMAN MORENO: I seem to think that --  
4 at least my initial reaction is that I would be more  
5 concerned by the immediate neighbors that have to  
6 live with it every day than for the passing guy along  
7 the street, but --

8 The second one, we've already addressed.

9 His third one is, should some different  
10 conversation be given to waterfront and golf course  
11 homes with respect to open green space requirements,  
12 and then he discloses that he lives on the Coral  
13 Gables Waterway. But I mean, that's a valid point,  
14 as well.

15 MR. SMITH: Uh-huh. For this interim  
16 proposal, we did not consider that.

17 CHAIRWOMAN MORENO: Okay.

18 The next one is, he's -- what his point is,  
19 that the reduction affects the bigger lots, that can  
20 hold bigger mansions to a much greater extent and  
21 that some of the -- what are viewed as huge homes are  
22 really being built on little lots, so that you're  
23 trying to address a problem in the wrong area, I  
24 think, is the point he's making, and I think it's a  
25 valid point.

1           MR. SMITH: Well, the reduction is a  
2 proportion, and it's an equivalent proportion to the  
3 size of the lots.

4           CHAIRWOMAN MORENO: How are these -- What is  
5 the typical size of a home on a 50-by-100-foot lot  
6 today in the Gables?

7           MR. SMITH: 2,400 square feet, or two  
8 thousand --

9           CHAIRWOMAN MORENO: That's the required --

10          MR. SMITH: And what they're designing to  
11 and bringing them into is --

12          CHAIRWOMAN MORENO: But the traditional home  
13 in North Gables --

14          MR. SMITH: Oh, the traditional home?

15          CHAIRWOMAN MORENO: Right. Aren't those  
16 like 1500-square-foot homes?

17          MR. STEFFENS: 1500 to 1800.

18          MR. SMITH: I would have to guess. You  
19 know, I don't recall.

20          MR. STEFFENS: 15 to 1800.

21          MR. SMITH: Probably. The one-story ones --

22          CHAIRWOMAN MORENO: Uh-huh.

23          MR. SMITH: -- yeah, they're going to be  
24 around 1500.

25          CHAIRWOMAN MORENO: So we're increasing

1 that. The 2400 is an increase over the character of  
2 the neighborhood.

3 MR. SMITH: That's correct.

4 CHAIRWOMAN MORENO: And on the hundred by a  
5 hundred foot lots, what's the traditional size in the  
6 Gables? Any idea of those?

7 MR. SMITH: I don't know.

8 CHAIRWOMAN MORENO: Because I think what  
9 some people are reacting to is not the sheer size of  
10 the house, but the size of the house in relation to  
11 the surrounding community.

12 MR. SMITH: Uh-huh.

13 CHAIRWOMAN MORENO: And this, to me, doesn't  
14 really seem to take that component into  
15 consideration, and just as an example, in the French  
16 Village, all those houses are one next to the other,  
17 and that is the look of that neighborhood, but  
18 certainly, if you went out -- and the same is true in

19 Cocoplum. All those houses are next to each other,  
20 with very little green area, but if you went out to  
21 some other areas of Coral Gables where the houses --  
22 Santa Maria, those houses are sitting on bigger lots,  
23 they're big houses, and you don't see the  
24 disproportionate look, which is what I think is  
25 driving this issue, and I'm not sure that it's being

1 addressed at all by the proposed regulations.

2 MR. SMITH: No, we're not addressing that  
3 issue. It's not our intent to address that issue,  
4 because in order to address that issue, and we could  
5 do it, we would have to go around and determine the  
6 average square footage of the homes in each  
7 identified neighborhood of the City and say, "Now  
8 that's your maximum square footage," and then those  
9 existing homes wouldn't be able to grow, as well, and  
10 I don't think anybody wants to not be able to  
11 redevelop their single-family home. They want to be  
12 able to develop it in accordance with whatever the  
13 regulations are.

14 So, if we have someone come in today and do  
15 a house that is smaller, to be consistent with the  
16 neighborhood, and eventually the neighbors slowly  
17 build up larger houses around him, then we penalized  
18 him when he built, and now he's got a neighborhood of  
19 homes that have slowly grown with additions and  
20 things like that.

21 So you have to go to a base point, which is  
22 what this is, and let that neighborhood go to that  
23 base point, and make sure that that base point is  
24 appropriate to homes throughout the City, based on  
25 the size of the lot that they're being put on.

1           CHAIRWOMAN MORENO: Okay. I don't want to  
2 imply that I'm opposed to it, but I think the result  
3 of this is that you're going to turn the North Gables  
4 into a townhouse-type community if everybody maxes  
5 out their homes. Am I incorrect in that?

6           MR. SMITH: I respectfully don't agree with  
7 you on that.

8           CHAIRWOMAN MORENO: Okay.

9           MR. SMITH: I think you are going to  
10 continue to get single-family residential type of  
11 home prototypes, but they're going to be somewhat  
12 smaller, and I think that --

13          CHAIRWOMAN MORENO: Yeah, but they're not  
14 going to be built to the set-- because you haven't  
15 addressed setbacks.

16          MR. SMITH: No.

17          CHAIRWOMAN MORENO: So you don't view that  
18 these regulations are going to mean that, in those  
19 50-foot lots, you're going to get a house that's five  
20 foot on -- you know, five foot on either side, five  
21 foot from the back, and straight up?

22          MR. SMITH: Well, you can get that --

23          MR. STEFFENS: You can't.

24          MR. SMITH: You can get that now. Right  
25 now, we're not addressing that setback issue.

1                   CHAIRWOMAN MORENO: That's what I'm asking  
2 you.

3                   MR. SMITH: In these interim provisions, and  
4 I keep saying interim provisions, because with the  
5 proposed Zoning Code rewrite, we're going to take a  
6 broader look at this and look at more issues and  
7 decide whether or not -- how those things will affect  
8 the design of homes for the future of Coral Gables.  
9 This goes after, directly, the provisions of the  
10 Zoning Code that affect the floor area, how much  
11 square footage a house can have, based on the size of  
12 its lot, and how that is calculated.

13                  CHAIRWOMAN MORENO: See, the problem I have  
14 is, you have -- for like a one-acre home, you're  
15 reducing it from 14,000 square feet to 10,000 square  
16 feet --

17                  MR. SMITH: That's correct.

18                  CHAIRWOMAN MORENO: -- which looks dramatic,  
19 but a one-acre home can take a 14,000-square-foot  
20 house without impacting its neighbors dramatically.  
21 But at the lower end, you know, you're not benefiting  
22 the neighbors, and I'm not sure that I want to just  
23 throw out the bath water, for all these people with  
24 larger homes that can take large homes, and not  
25 really address the problem of impacting the neighbors

1 in the smaller lots.

2 MR. SMITH: We've had large homes done on  
3 large sites, too, that -- I think that the direction  
4 of the Commission was for us to look at this  
5 City-wide, because it's not -- you know, I don't  
6 think -- and the opinion I think that they expressed  
7 to us was, it wasn't, you know, an issue that was  
8 related to one, you know, segment of the City.

9 CHAIRWOMAN MORENO: With this proposal that  
10 you have, how many of those homes that are -- that  
11 the Commission views as offensive would not qualify,  
12 would become --

13 MR. SMITH: I wouldn't know that number.

14 CHAIRWOMAN MORENO: Okay, but do you think  
15 it does affect some of those homes?

16 MR. SMITH: Well, they're already developed.

17 CHAIRWOMAN MORENO: Right, but would it have  
18 prevented them being developed?

19 MR. SMITH: Yes, it would have affected  
20 those homes.

21 CHAIRWOMAN MORENO: And there's a lot of  
22 them that fall in that category?

23 MR. SMITH: I don't know how many there are  
24 that fall in that category.

25 MR. STEFFENS: Cristina, everything that's

1 being built today on small lots is being built to the  
2 maximum square footage that you can possibly build.

3 CHAIRWOMAN MORENO: Right. I understand  
4 that, and that's economic.

5 MR. STEFFENS: Exactly.

6 CHAIRWOMAN MORENO: That's economic.

7 MR. STEFFENS: So it would affect everything  
8 that's being built, because they would have had to be  
9 reduced by some percentage of their area.

10 I don't think your perception of building  
11 five feet from each property line and five feet from  
12 the rear on the small lots is correct, because you  
13 just can't build that footprint.

14 CHAIRWOMAN MORENO: That makes me feel  
15 better.

16 MR. STEFFENS: Because of the open space  
17 requirements and the lot coverage requirements and  
18 everything else, you just cannot build that  
19 footprint. You have to build a smaller footprint.

20 MR. SMITH: The other -- The other thing --

21 MR. STEFFENS: I think the opposite of what  
22 you're saying is that these things penalize the small  
23 lots. I mean, the small lots is where you have very  
24 little opportunity to take advantage of incredibly  
25 high land prices here --

1                   CHAIRWOMAN MORENO: Uh-huh.

2                   MR. STEFFENS: -- and to not be able to take  
3 advantage of that is a problem, and I think that  
4 looking at it just, as I said, in the horizontal  
5 plane is not doing justice to this, because it's in  
6 the vertical plane where these things are out of  
7 proportion, not necessarily in the horizontal plane.

8                   MR. SMITH: The -- on a small lot, a  
9 5,000-square-foot lot -- you know, because if you  
10 look at the lot coverage, okay, that's 35 percent.  
11 That's 1,750 square feet. That doesn't give you a  
12 lot left over of the 2400 square feet to put in a  
13 second story of a house. And I've heard discussion  
14 that the two-story box, okay, was not appropriate,  
15 and the two-story box can be a very nice house on a  
16 50-by-100-foot lot, because what that does is,  
17 instead of having 1750 on the ground and a small  
18 second floor, you get 1200 square feet on the first  
19 floor, 1200 square feet on the second floor. That  
20 shrinks that footprint by 500 square feet. Then it  
21 becomes a matter of how the house is articulated, and  
22 then it becomes a matter of, how high is the tie beam  
23 on the second floor of the house, and then it becomes  
24 a matter of, what's the roof pitch and the  
25 relationship of that roof pitch that to that

1 proportion of the house, and Mr. Steffens, and you  
2 were on the Board of Architects and I'm sure that  
3 you've seen cases where we've had -- some architects,  
4 unfortunately, don't get -- and they come back and  
5 they come back and they come back, and the Board of  
6 Architects has tried to say to them, "No, you've got  
7 to do this or do that," you know, and they could talk  
8 about details and doing this --

9           This, I think, is going to give the -- and  
10 this is where I think the biggest strength in this  
11 ordinance is, is it's going to give the Board of  
12 Architects the ability to say, "No, you've got to  
13 lower the wall space from 39 feet down to, you know,  
14 24 feet, you know, so that you get the correct  
15 proportion on the house."

16           This gives them an opportunity to suggest  
17 suggestions of proportion, which, correct me, we  
18 didn't do before. Before, it was always about the  
19 details, and this gives them a greater opportunity to  
20 do that, and the homes that are monster homes, or  
21 large homes, are that way because of their --  
22 primarily, I think, because of their proportions, you  
23 know, and that's the problem that we're really  
24 fighting with, and I think this will help deal with  
25 that issue of proportion, because of --

1                   CHAIRWOMAN MORENO: But I think Michael's  
2 point is well taken, that this reduces -- that the  
3 reduction for the smaller lots impacts them --

4                   MR. SMITH: Uh-huh.

5                   CHAIRWOMAN MORENO: -- in terms of losing,  
6 you know, necessary rooms.

7                   MR. STEFFENS: The other -- the other item  
8 that came up, possibly counting the garage as full,  
9 would impact the small lots drastically, because that  
10 would mean a one-car garage would be counted as  
11 another 135 square feet, which is another bedroom.

12                   CHAIRWOMAN MORENO: What if you do a  
13 carport? Does that count?

14                   MR. STEFFENS: A carport counts, basically,  
15 the same as a garage, right?

16                   MR. SMITH: Yes. A carport counts the same  
17 as a garage if it's on the front of the house, but if  
18 you do a traditional South Coral Gables carport,  
19 where you have the carport on the side of the house,  
20 in line with the house or slightly behind the plane  
21 of the house, then it counts as one half, and we do  
22 that to try and encourage that, you know, traditional  
23 element in the cottages, in new construction, and  
24 some people take advantage of that, but surprisingly,  
25 a lot of people don't, and I think it's because,

1 number one, people want a garage and not just a  
2 carport, and they don't want particularly to have the  
3 garage at the back of the house, behind the carport,  
4 for security reasons. People want to be able to walk  
5 from their garage into their house, to feel secure.

6 MR. STEFFENS: Can a carport have a door on  
7 the front of it, a garage door?

8 MR. SMITH: A carport -- in theory, it  
9 could, because it could be open enough on the sides  
10 and the rear that it would still be considered a  
11 carport. It wouldn't be enclosed as a garage.

12 CHAIRWOMAN MORENO: But we mandate having  
13 garages, right?

14 MR. AIZENSTAT: Garage or a carport.

15 MR. SMITH: A garage or a carport or a porte  
16 cochere.

17 CHAIRWOMAN MORENO: But if we say that a  
18 carport and a garage count the same, aren't we  
19 encouraging the garage? For the reasons you say,  
20 right?

21 MR. SMITH: Yeah.

22 CHAIRWOMAN MORENO: So, if you counted the  
23 carport less than the garage, at least in the 50-by-  
24 100-foot lots, wouldn't you get more people building  
25 carports instead of that garage up front?

1           MR. SMITH: For security reasons, I don't  
2 think so. You know, I've discussed that with  
3 different groups of architects over the years, and I  
4 think people are very much interested in that  
5 security nowadays.

6           MR. AIZENSTAT: Let me, if I may, ask a  
7 question.

8           MR. STEFFENS: Everybody wants a garage.

9           MR. AIZENSTAT: How does the interim  
10 provisions parallel the provisions which the City  
11 wants to put into place?

12          MR. SMITH: They're different in the  
13 provisions that we want to put in place with the  
14 proposed Zoning Code. You know, we're still studying  
15 those and working on those, and Mr. Siemon is going  
16 to address that, much better than I am.

17          MR. AIZENSTAT: So maybe it would be a  
18 better question to Mr. Siemon.

19          MR. SMITH: Yes.

20          MR. RIEL: Mr. Siemon is going to go over  
21 some of the ideas and alternatives that are  
22 available, that we're going to include in the Zoning  
23 Code rewrite, and this is a good opportunity to  
24 provide Mr. Siemon that input, so when we come back,  
25 we can hopefully have those regulations the way you

1 desire those.

2 CHAIRWOMAN MORENO: You're going to stay  
3 until after the public gives their input, in case  
4 they have more questions?

5 MR. SMITH: Yes, absolutely.

6 CHAIRWOMAN MORENO: Thank you.

7 MR. SMITH: Thank you.

8 MR. MAYVILLE: Give a smile.

9 MR. SMITH: I guess I'm going to be on the  
10 Gazette on Thursday.

11 MR. SIEMON: Good evening. Eric has asked  
12 me to discuss some of the other things we're looking  
13 at in conjunction with the rewrite, and I think the  
14 hope was that we could get some policy direction, and  
15 one of the issues was just discussed, and that is  
16 that right now the traditional use of smaller homes  
17 uses a significantly smaller percentage of the total  
18 development floor area potential than is actually out  
19 there in the neighborhood, and we would like to have  
20 some direction.

21 One way of addressing that, even within the  
22 confines of the limitations of the Harris Act, was  
23 described by Dennis. That is, you have a standard  
24 formula, or the average of the floor area of the  
25 existing -- a percentage, an increase, maybe 110

1 percent of the average floor area of the home --  
2 existing homes within the block, on either side. You  
3 remember, when we talked about the contextual review,  
4 there is an analytical unit, it's the block on either  
5 side of the street, and one of the things that I'm  
6 sure you all recall is that the streets, in  
7 particularly the traditional parts of the City, are  
8 varied in terms of their lot size, but they have a  
9 certain harmony and character, and so if you said you  
10 have an FAR of .35 in these smaller lots or the  
11 average of the existing homes, you are 110 percent of  
12 that or whatever, some multiple of that, you would  
13 avoid those individual homes that are underutilizing  
14 the floor area today to exploit that additional area,  
15 and I think that's a significant issue in terms of  
16 what people tell us is a monster home issue. It's  
17 really a home that's out of character with the  
18 existing array of units.

19 Now, that could be coupled with one of the  
20 things -- I really don't have good graphics, and I  
21 don't know that it's worthwhile, but I might just  
22 illustrate. We spent some time, real quickly, trying  
23 to look at some of these issues, and one of the  
24 things that comes to -- that we -- These are just  
25 bulk drawings, but what they are is height, 10 feet

1 to the tie beam, various heights of houses, just to  
2 make sure that everybody keeps at the height. The  
3 nature of the roof has a lot to do with the character  
4 and how it fits into the area.

5           But this is a 10-foot side lot in 75 feet,  
6 and I think you all can see that there is an issue.  
7 If you build a two-story building, there is a  
8 significant difference in terms of the apparent  
9 character of the street. And we think, as we go  
10 forward, we need to look at the relationship between  
11 the height of the building, the character of the  
12 building and the nature of the setback.

13           We think that your setbacks probably, for a  
14 single-story building, where you're putting all of  
15 the mass on the one floor, actually, paradoxically,  
16 makes the narrower setback feel more claustrophobic  
17 in character.

18           And as we've gone through -- and just the  
19 other drawings I have are just -- heck, I don't know  
20 where they went -- various -- what we started going  
21 through was looking at the various buildings.

22           One of the other things that becomes obvious  
23 is that the dimension across the front of the  
24 building is a significant factor, regardless, when  
25 it's -- you have relatively small setbacks, and

1 that's why we suggested, in some of the contextual,  
2 setting a portion of the facade -- no more than 40  
3 percent of the facade could be at the building line,  
4 moving the garages back. We think those are things  
5 that are important.

6           But we think that we should look into  
7 regulations that, without depriving the property  
8 owner of an opportunity to use the square footage,  
9 but for example, if you want to exploit all the  
10 square footage, do a two-story building,  
11 particularly if you're doing new construction,  
12 because that gives you a smaller footprint and more  
13 ability to locate the building on the property, to  
14 get an appropriate outcome, and part of, we think,  
15 that -- the height in the neighborhood, as we looked  
16 at before with drawings, really goes up and down in  
17 many, many areas, but we would like to consider maybe  
18 recalibrating the FAR in the lower -- the lower, in  
19 the 5,000-square-foot areas, and allowing it to come  
20 up based on the size of the setbacks that are made  
21 available, whether it's two-story, with the  
22 proportions of the building. We find that the closer  
23 the length and width of the building are to each  
24 other, the -- with increased setbacks, the more  
25 consistent character we get with what we see out

1 there.

2           So a number of things that we've looked at,  
3 and I just want to run through them, in addition to  
4 what we looked at before. Calibrating it to the FAR,  
5 some percentage. In ordinances we've drawn, the  
6 increase might be 10 or 25 percent of the average.  
7 What that allows, over time, is some gradual increase  
8 and more effective, efficient use of it, but it  
9 doesn't result in this rapid change. It takes away  
10 the incentive for tear-downs and promotes  
11 rehabilitation and additions.

12           Then we think, in the lots of greater than  
13 5,000 square feet, the differential that's in the  
14 recommendations here, where you have a 23 percent  
15 reduction in permitted floor area on the larger  
16 parcels is something that we think some considerable  
17 consideration needs to be given to the relative  
18 equity. Those large lots have substantial value, and  
19 that substantial value is really driven by people  
20 that expect to build a significant home, and we think  
21 some -- we think this is an acceptable and  
22 appropriate interim response, but we'd like to see it  
23 calibrated along with these other factors that we're  
24 talking about, before we adopt the final  
25 regulations.

1           We had suggested, in the original ordinance,  
2 a series of areas that I said are additional.  
3 Additional setbacks, if you take a two-story building  
4 and set it back an additional 10 feet, I've shown you  
5 drawings before, that makes a significant impact.  
6 Particularly if there are one-story buildings in the  
7 area, that two-story building being set back still  
8 has plenty of front and back yard, because you've  
9 reduced the footprint, and what this really is  
10 suggesting is, you need to look at each parcel of  
11 land in the context of a set of rules, to apply those  
12 rules to reach an optimal outcome on that particular  
13 parcel, in that particular neighborhood, and I think  
14 that's the examination that hasn't been taking place  
15 in the past.

16           We think limiting the amount of the facade  
17 which is at the building line, forces the designer to  
18 avoid cubes and start to create some interest.

19           Garage doors, we've suggested, should be set  
20 back. They shouldn't be the front part, and I  
21 frankly think you could set the garage back five feet  
22 and not lose anything in terms of your effective FAR,  
23 especially if you put a bedroom on the second floor,  
24 and substantially change the character of those  
25 neighborhoods. I think that that is an issue.

1           We think varied roofing is very much a part  
2 of the traditional character, and one of the things  
3 that's happening with new structures and makes them  
4 feel monstrous is that they have these very large  
5 roof structures. The larger the building, the more  
6 the consistent runs of the gable. We've suggested  
7 that in -- and maybe it's, we said, if you go from  
8 the 35 percent, if you go above that, you ought to be  
9 looking at these design techniques and see if they  
10 could be applied to achieve a more desirable outcome.

11           And finally, we think that -- the last one  
12 is the one I already mentioned. If less than 25  
13 percent of the homes on the street side where a new  
14 home is proposed are one-story buildings, a two-story  
15 building should be stepped back an additional 10 feet  
16 so that its mass is diminished and it's seen from  
17 either side of the street as being slightly behind  
18 the single-families on either side.

19           On rear end setback -- rear and side  
20 setbacks, we think if you need to regulate that, we  
21 would like to propose that they're different for  
22 single-story and two-story buildings and that they  
23 vary according to the FAR, and we think that there is  
24 a range, a building envelope that is almost as  
25 regularly -- has an attractive balance between

1 various structures, and then everything outside of  
2 that is where we start to find these circumstances  
3 that we're concerned about.

4           So we would propose to look at number of  
5 stories, the floor area ratio, and the amount of the  
6 setbacks, again, all of them calibrated to say, if  
7 you're going to build a two-story -- if you're going  
8 to build the maximum square footage that's permitted,  
9 we don't want to take it away from you, but we want  
10 you to do it in a certain way that will mitigate the  
11 potential adverse impacts on adjacent neighbors.

12           If you put a second story -- a two-story  
13 building into a single-family neighborhood, the more  
14 you set back that structure, the more comfortable the  
15 privacy of the neighbors will be maintained, and  
16 we've used these kinds of approaches in other places.

17           We think the second-story facade, it  
18 shouldn't be a block. A lot of the buildings that  
19 have been pointed out to us which are unattractive  
20 are buildings that have a relatively sheer wall  
21 across two stories, whether it's 20 feet or 24 feet,  
22 whatever the building height to the tie beam. We  
23 think some -- either in the front facade, a cornice  
24 line or some sort of setback, and then particularly  
25 on the side yard, where the side yards have the

1 effect of a very tall wall next to a relatively  
2 narrow setback, your spacing between the buildings.

3 By the way, we want to look at this and  
4 think about whether there's any possibility, but I  
5 was talking to Dennis about this earlier. We talked  
6 about, it's really not so much the setbacks, it's the  
7 spacing between the buildings that's really defining  
8 the character, and we're going to do a little  
9 modeling to look at that. But we think, on the side  
10 yards, looking at the monster homes that we've been  
11 shown, setting the second floor back, at least on one  
12 side, some modest distance from the facade of the  
13 first floor, would help again to mitigate the  
14 appearance of mass, and if you have a choice on a lot  
15 of whether you have 10-foot side yard -- it's a  
16 hundred-foot lot, 20 percent of that is 20 feet,  
17 10-foot side yards -- if you choose to build across  
18 that facade, you're going to have, in that district,  
19 a very significant mass in the structure.

20 If you turn that structure, if you add  
21 double those or make them 15-foot setbacks, the  
22 visual character changes quite dramatically, in terms  
23 of it fitting in. Again, this is all fitting in with  
24 an existing fabric of homes, that we're looking at.

25 So those are the kinds of areas where we're

1 going, and the real issue is -- and I think Tom Korge  
2 asked the question here, the last time we talked  
3 about this -- isn't the real issue that the FAR of  
4 .48 is too much on those 5,000-square-foot lots, and  
5 I think that it in many cases is, and what I'm  
6 suggesting is, it doesn't have to be an all or  
7 nothing. We can make it a threshold of .35, which is  
8 the coverage requirement, so you could have a  
9 single-story building that covered the coverage area  
10 that's allowed, but if you're going to go beyond  
11 that, above that, either in whatever form, you ought  
12 to design it in a way that mitigates the potential  
13 impact in terms of the overall composite character of  
14 the street and the properties on either sides, and so  
15 it's really -- you know, last time we went there, to  
16 the monster homes, we got pushed back pretty hard,  
17 and I guess I'm looking for -- or Eric and I are  
18 looking for some direction, whether this -- these are  
19 the areas you'd like to see us explore and come back  
20 with a more complex, but I think more effective, set  
21 of regulations than where we've gone before.

22 MR. MAYVILLE: A couple --

23 CHAIRWOMAN MORENO: Yeah. I personally  
24 prefer that approach. One of the problems I have  
25 with this is, I'm concerned about these reductions

1 rendering a bunch of houses nonconforming,  
2 particularly in the Cocoplum area. I don't know that  
3 anybody has looked to see what effect this has on  
4 existing buildings, and certainly if I owned a  
5 house -- if my house, which I don't know whether it  
6 would be or not, is rendered nonconforming, I  
7 wouldn't be happy with the idea that if a hurricane  
8 came and wiped me out, like Hurricane Andrew did, I  
9 would lose bedrooms in my house. I mean, that, to  
10 me, is very concerning about the strict square  
11 footage reduction that we're doing.

12 Bill?

13 MR. MAYVILLE: I'm just trying to get my  
14 arms around the problem. How many houses are we  
15 talking about that would meet a definition of a  
16 monster house in the Gables?

17 MR. SIEMON: Yeah. I've come to conclude,  
18 in the last couple of years, that monster homes are  
19 like pornography, and it's all in the viewer's  
20 perspective.

21 I don't think there are lots of examples in  
22 Coral Gables, but I've said here before, I think that  
23 it's inevitable, given the general trend in valued  
24 neighborhoods around the United States, around  
25 Southeast Florida, that these unused FARs are going

1 to be exploited. Ultimately, the market is going to  
2 do that, and I would say every place in -- I mean,  
3 New Jersey is 50 years ahead of us in their  
4 development experience, and if you go to the mature,  
5 attractive communities, there's not a potential FAR  
6 square foot, hardly, that hasn't been exploited at  
7 some time in the last 20 years, and it's just because  
8 of the location and the character of the  
9 neighborhoods, and I'll predict to you that you're  
10 going to see a significant amount of activity. The  
11 economics are just going to drive it.

12 MR. STEFFENS: Are those communities in New  
13 Jersey any less desirable because of that?

14 MR. SIEMON: I think a lot of people think  
15 those changes have been adverse to the community.  
16 Cranbury is a good example of that.

17 MR. STEFFENS: Which one?

18 MR. SIEMON: Cranbury --

19 MR. STEFFENS: Cranbury?

20 MR. SIEMON: -- is a good example.

21 CHAIRWOMAN MORENO: But I think if you have  
22 an absolute FAR of 2400 for a 5,000-square-foot lot,  
23 that's going to drive the price of that lot whether  
24 or not it's built up.

25 MR. SIEMON: And it's going to be

1 exacerbated at the lower end because, as housing  
2 costs have continued to rise, access to housing has  
3 now, so you're buying the least expensive housing you  
4 can find that you can afford, and then you're trying  
5 to gain advantage by exploiting that FAR. So we're  
6 really creating more candidates to do that.

7 In the neighborhood behind Mizner Park, it's  
8 almost a hundred percent now. It's been 13 years  
9 that that excess FAR has now been all exploited.

10 MR. MAYVILLE: These monster houses that you  
11 talk about, do they come about because of either  
12 property being joined together or through the  
13 variance process that allowed them to occur? Because  
14 I've never --

15 MR. SIEMON: I don't think so. I think our  
16 observation is that there are a lot of -- There are  
17 two kinds of monster home problems, I think. One  
18 that's not very evident, but it's the one about the  
19 5,000, we're exploiting more in neighborhoods that  
20 have a very set and pretty uniform character, as much  
21 uniform as it is anywhere. It's the 125-foot lot on  
22 a street where the average is 75 or 50, and what's  
23 happening is, the homes were all built about the same  
24 time, and relatively of the same scale, it may be  
25 slightly bigger, and what's happening is, somebody

1 comes and buys that 125-foot lot and now has 3,000  
2 extra, or whatever it is, 2500 extra square feet to  
3 exploit, and they do. I think that's where it's  
4 coming from. I don't think they're getting  
5 variances. I would be very surprised. None of the  
6 research that we did previously --

7 (Inaudible comment from audience)

8 MR. STEFFENS: I don't know that they give  
9 out variances for FAR or FAF.

10 MR. SIEMON: FAF.

11 CHAIRWOMAN MORENO: The problem, I think,  
12 is, you know, if you buy a small house -- I know,  
13 because I owned one in the North Gables -- and your  
14 family grows, and you try and find another  
15 replacement home in the Gables, it is very costly.  
16 So it's easier -- or not easier, more economically  
  
17 feasible, to build up that house, add another  
18 bedroom, add another floor, than it is to go buy  
19 somewhere else in the Gables. So economics drives  
20 it, and to say to those people, you know, you  
21 can't -- you know, you've lived in this house for all  
22 this time, and you can't put on an addition now,  
23 because, you know, we have decided that you can't  
24 build that house up, for, you know, whatever  
25 reason -- is a hardship, and you have to be very

1 certain that it's accomplishing your goal before you  
2 impose that, and I'm concerned that these numbers  
3 that I'm seeing here are really not going to solve  
4 the monster home problem; they're just going to make  
5 a lot of people very unhappy.

6 MR. SIEMON: Well, I don't think Dennis has  
7 suggested it's going to solve it. It's going to  
8 help. It is an interim measure, and I think, for the  
9 circumstances, it's an appropriate response, but I  
10 think I've made it clear that my recommendation is  
11 that we need to -- I mean, we looked at this issue  
12 before, you know. There was not a whole lot of  
13 interest in the various programs we came back with,  
14 and in particular, the lot split issue, which  
15 actually came up as a response to this very issue.  
16 That 125-foot lot created an economic opportunity so  
17 that two homes could be built there that are  
18 consistent, rather than one larger home that's out of  
19 character. You know there was a lot of push back on  
20 that subject, but now that it's come up again, I  
21 think it's -- we're recommending to you that we look  
22 into it. It's a little late in the game, because we  
23 had hoped to bring you a finished draft, but I think  
24 we can present this issue with some core  
25 recommendations and then some alternatives that you

1 might look at.

2 MR. TEIN: Charlie, in the regulations that  
3 you're working on, they're going to incorporate the  
4 idea that the average FAF in a neighborhood will be  
5 taken into account.

6 MR. SIEMON: They do not now.

7 MR. TEIN: But in the ones you're working  
8 on.

9 MR. SIEMON: I'm asking you. We have a  
10 draft, and the draft does not contain those  
11 provisions, and --

12 MR. TEIN: Isn't that the idea, that a  
13 McMansion is something that you know it when you see  
14 it, because when you go into the neighborhood, you  
15 have a house that looks so much different from the  
16 ones around it? I mean, isn't that sensitivity to  
17 the average FAF in the neighborhood the thing that  
18 the regulations should be gauged around, if what  
19 we're really trying to avoid is something that is a  
20 McMansion that we know when we see it?

21 MR. SIEMON: Well, it's one way that  
22 communities have tried to stabilize. It might be  
23 coupled with the design standards. If it's above 35  
24 percent, it's a major conditional use, you have to  
25 now opt -- make your addition on the second floor or

1 something. I don't know, I haven't worked it out --

2 MR. TEIN: If we wanted to incorporate this  
3 idea of preserving the character of a street, how  
4 would you incorporate the average floor area factor?

5 MR. SIEMON: Well, I wouldn't strictly -- We  
6 would probably never recommend that you just pick the  
7 average. We might --

8 MR. TEIN: I don't mean picking the average  
9 as your only factor, but how would you incorporate  
10 that as a factor in the calculation? For example,  
11 these interim regs, we just have a step process,  
12 based on percentage, but I think what you're saying  
13 is, in the recommendation, that there be an  
14 additional factor worked in -- two factors. One,  
15 setback be considered, and the other factor that  
16 would be somehow factored into the equation is the  
17 average of what's going on in the neighborhood right  
18 now.

19 MR. SIEMON: Well, one way to do it, for  
20 example, would be, you have two levels of approval  
21 review. The first level is for those that have  
22 relatively little chance of being out of scale and  
23 scope, and if they have an FAR of .35 or no more than  
24 10 percent more than the average FAR, that's  
25 permitted as of right and goes right through the

1 process.

2           If you go beyond that and you want to  
3 exploit between .35 and .48, then you would go into  
4 the design review and the contextual review that you  
5 all have said should be done by the Board of  
6 Architects, and to examine whether the design  
7 approaches that could help to mitigate that character  
8 are appropriate, and that's really just an  
9 elaboration of what -- and adding more detail and  
10 direction to the concept that's in this interim work.

11           That's how I would -- my intuition, standing  
12 right here, that's how I would approach this, and so  
13 if they want to do it, but then if they're going to  
14 go up and beyond, then they need to come forward and  
15 demonstrate that they can achieve the desired  
16 objective through the use of these, because I can  
17 show you a 2400-square-foot home fitting into an  
18 average 1750, lots of them, but I can also show you  
19 some that don't fit in, and that's the ones we want  
20 to capture.

21           CHAIRWOMAN MORENO: Well, it seems to me  
22 that the monster home issue, at least from my lay  
23 perspective, not being an architect or a land  
24 planner, it jumps out at me because it's out of  
25 character with the neighborhood. You know, it

1 doesn't -- I don't think it's a question of strict  
2 square footage. It's the way that the particular  
3 house has been built. You know, one of the things  
4 that you were describing, the sheer walls, that's  
5 what makes it look not as nice, and to me, it's all a  
6 balancing test between the rights of the property  
7 owner and the rights to preserve the character of the  
8 neighborhood. And, you know, I frankly find these  
9 numbers, without knowing how they affect existing  
10 homes, very difficult to accept, because what is --  
11 In Cocoplum, the houses tend to be all huge, on small  
12 lots. Am I now rendering all those homes  
13 nonconforming? I don't know, and no one has told me  
14 that, and I -- that troubles me.

15           What you're proposing, to me, seems to be a  
16 better way to go, which is to look at the character  
17 of the neighborhood, and what might be acceptable in  
18 Cocoplum may not be acceptable in the North Gables.

19           MR. SIEMON: Eric --

20           MR. STEFFENS: But I also think that the  
21 square footage is not necessarily the driving factor,  
22 it's the envelope, because as you said, there are  
23 plenty of 24, 25, 2600-square-foot houses that fit  
24 perfectly within the smaller neighborhoods. There's  
25 a lot of them that don't, that are completely out of

1 proportion, so --

2 CHAIRWOMAN MORENO: That's why he's  
3 suggesting the two-step review.

4 MR. STEFFENS: Well, it's also regulating  
5 the envelope more highly than the square footage.

6 MR. SIEMON: And that's where the setbacks  
7 and the height of the building and the rear yard, I  
8 think, need additional attention. And I don't have a  
9 firm, you know, recommendation. I was asked by Eric  
10 to look at this matter in conjunction with developing  
11 an interim ordinance, and I did some additional  
12 analysis that took into account the things we  
13 discussed, and also the passage of time, to look back  
14 on it.

15 I do -- I mean, this is not something  
16 anybody wants to hear me raise, but I have sort of a  
17 fiduciary responsibility to raise it. You know, this  
18 table that has been prepared illustrates the  
19 challenge of this lot split issue that I predict is  
20 not going to go away. If you look at the recommended  
21 square footage for 15,000, it's 4,650 square feet.  
22 If that lot were divided into three 5,000-square-  
23 foot lots, they would get 7200 square feet. That's  
24 one heck of an economic motivation to look in a  
25 different direction, and I just -- I encourage us to

1 not lose sight of that issue, and I'm not going to  
2 propose anything, but I can't help but notice that  
3 the gap is getting wider, that creates a force that  
4 we don't want to have any unintended consequences on,  
5 so --

6 CHAIRWOMAN MORENO: Okay.

7 MR. SIEMON: But I would -- what I would --  
8 I think I have a direction that we should go forth  
9 and look at the building envelope, I'll use that  
10 term, setbacks, variable setbacks and heights, that  
11 we'll look at a divided minor conditional use or  
12 maybe permitted as of right if it's .35 or no more  
13 than 10 percent above the average floor area in that  
14 analytical unit, and that we'll add that to those  
15 other standards. We'll come back with what our best  
16 recommendation is. We'll take nothing off the table.  
17 We'll set them aside as alternatives.

18 CHAIRWOMAN MORENO: Okay. That makes sense  
19 to me. I'd like now to --

20 MR. SIEMON: But that's not the interim.

21 CHAIRWOMAN MORENO: No, I understand.

22 I'd like to open the hearing to the public,  
23 the -- Jill, you've been given cards, right?

24 MR. RIEL: We have approximately 16 speakers  
25 and they just need to be sworn in.

1 CHAIRWOMAN MORENO: Sixteen?

2 Everyone who asked to speak and gave a card  
3 to Jill, please stand up to be sworn in.

4 (Thereupon, all who were to speak were duly  
5 sworn by the court reporter.)

6 CHAIRWOMAN MORENO: Please call the first  
7 speaker.

8 MS. MENENDEZ-DURAN: Daniel Fryer.

9 MR. FRYER: Good evening. My name is  
10 Daniel Fryer. I live at 640 Majorca Avenue. I want  
11 to thank the Board for having the public hearing and  
12 for considering these issues.

13 We moved in about 18 years ago, mainly  
14 because of the beauty and the scale and character of  
15 Coral Gables, and that's what we're concerned about  
16 now, is losing that character.

17 One thing we liked is, even though we have  
18 small lots in the North Gables where I live, and our  
19 lot is fairly small, you could still walk out in your  
20 back yard and feel like you could breathe. You had  
21 trees, you had landscaping, you didn't feel like you  
22 were closed in. We have a house of fairly nice  
23 character, but we're surrounded by three houses that  
24 don't have much character.

25 With the existing zoning laws, Code, we

1     could have those three houses torn down, and put up,  
2     with five-foot setbacks, 34 feet high, straight up.  
3     We would have -- basically, that's taller than most  
4     trees in our neighborhood. We would basically have  
5     no landscaping. Probably we'd have no grass, we'd  
6     have no sunshine, we would have no breeze, we'd have  
7     nothing. So that's why we're concerned.

8             So we appreciate the issues that have been  
9     talked about tonight. The last gentleman had some  
10    very good points. Increasing the setback is a very,  
11    very strong thing to consider, and also the height.  
12    I haven't heard so much talked about height, but 34  
13    feet is exceedingly high.

14            I believe you made a statement that it's not  
15    possible, with the size in square footage, to build  
16    out to the edge, the five-foot setbacks. At Cortez  
17    and Alhambra, I don't -- it doesn't look like it's  
18    five feet, maybe it is, but the house they built,  
19    which goes straight up on one side, on the east side,  
20    is barely inside the property line. So that is  
21    possible, yes.

22            MR. TEIN: Is that that corner house?

23            MR. FRYER: Yeah.

24            MR. TEIN: That house on the corner there --

25            MR. FRYER: Yeah, yeah.

1           MR. TEIN:  -- that's just being built right  
2 now, a two-story house?

3           MR. FRYER:  Yeah, a two-story house, but on  
4 the east side of that, it goes up straight up.  I'm  
5 not sure if goes 34 feet, but it goes up about 30  
6 feet, and I marked it off the other day.  It looks  
7 like it's about four feet.  So the fence that's there  
8 must be inside the property line, to make it the five  
9 feet.  But it's incredible.  It's incredible, plus  
10 then the house next to it is also right there.

11           MR. TEIN:  That had been a vacant lot.  Is  
12 that --

13           MR. FRYER:  That was a vacant lot.

14           MR. TEIN:  -- the house put on the vacant  
15 lot?

16           MR. FRYER:  Yeah, right, where they had the  
17 ficus tree that was taken down.  Right, exactly.

18           The other day, I had the opportunity -- the  
19 occasion to drive down to south of Old Cutler Road,  
20 down, all the way down, out of Coral Gables, down  
21 toward where you turn for Black Point, by Galloway,  
22 and they're putting up big developments down there  
23 where they're building these huge homes, 10 feet  
24 apart, with no trees.  I don't think we want that in  
25 North Gables.  I think that what you had talked about

1 and what the other gentleman talked about, about  
2 keeping the character of the neighborhood, is very,  
3 very important when we consider this. That concludes  
4 my comments.

5 I have comments from Mr. Paul Posnak, who  
6 also signed in, but he had to leave because of the  
7 length of the meeting.

8 CHAIRWOMAN MORENO: Is that -- Can we take  
9 that?

10 MR. RIEL: (Nods head).

11 MR. FRYER: And he wrote out something and  
12 asked me to read out a short statement. He has also  
13 signed in and checked that he'd like to speak.

14 CHAIRWOMAN MORENO: Okay. Do you know where  
15 he lives?

16 MR. FRYER: He lives at 837 Catalonia.

17 CHAIRWOMAN MORENO: Okay.

18 MR. FRYER: Okay, and his question is: Can  
19 neighbors register a legitimate objection if a home  
20 is proposed and passed for permitting that would be  
21 entirely out of keeping in size, design and type with  
22 that of the homes in the neighborhood? For example,  
23 830 Catalonia was bought for profit -- he underlined  
24 for profit -- not residence, to build a home with  
25 over 6,000 square feet, that would be over two times

1 the square footage of all the houses on the block and  
2 would stick out like an ugly sore thumb. All those  
3 houses were built in the late 1940s and early 1950s,  
4 with complementary architecture and beauty. To tear  
5 down a beautiful house, 830 Catalonia, for a  
6 McMansion or monster home should be disallowed in  
7 such a neighborhood.

8 So that was his comment. Thank you very  
9 much.

10 CHAIRWOMAN MORENO: Thank you very much.

11 The next person?

12 MS. MENENDEZ-DURAN: Andy Murai.

13 MR. MURAI: Good evening, Madam Chairman.  
14 Andy Murai, 200 Solano Prado, Coral Gables. I'm here  
15 in my capacity as a resident, but also, I just want  
16 to let you know that I serve as Chairman of the Code  
17 Enforcement for the City of Coral Gables.

18 I want to address some of the statements  
19 that have been mentioned here tonight, and let's  
20 start with notice. Eric mentioned that notice has  
21 been given on several occasions, but I don't think  
22 that anybody in the City, any resident in the City,  
23 has any idea of what -- the measures that we're  
24 discussing here tonight and the implications that  
25 those measures will have in their own -- for their

1 own residence, mainly because this computation of the  
2 floor area ratio was just published in the last 24  
3 hours. No resident knows what this entails.

4 In addition, let's address the famous  
5 McMansions that have been tossed around in the  
6 paper. How many do we have, and how many do we have  
7 around the City? Mainly, the large residences are in  
8 Cocoplum, an area that was platted, zoned and  
9 developed to those standards. What you see in  
10 Cocoplum, you do not see in other areas of the City.

11 Next, let's address what Chairman --  
12 Chairwoman Moreno mentioned as the hurricane issue.  
13 To me, it is absolutely devastating that if you have  
14 a hurricane, you already have the grief and the  
15 sorrow of having your home destroyed, that then you  
16 will not be able to rebuild your own home and perhaps  
17 you will have to ask, you know, your in-laws or your  
18 daughter or whoever to move out, because you will not  
19 be able to rebuild a bedroom because you will have to  
20 conform, as Mr. Smith had mentioned, to the new floor  
21 area ratios, and to me, that is really punitive to  
22 every resident of the City.

23 Let's address what Mr. Steffens rightly  
24 mentioned regarding the small lots and the  
25 massiveness going up, which this floor area ratio is

1 not going to solve it. The floor area ratio that is  
2 being proposed here is not going to solve what it  
3 could be perceived as some residents that could be  
4 intrusive to the neighbors.

5 And you rightly mentioned, Mr. Steffens, at  
6 the beginning of this meeting, that problem.

7 These interim regs are not going to solve  
8 what could be a problem in the City. These interim  
9 regs are punitive in nature, that have not been  
10 properly discussed. This is a City that has a public  
11 hearing for almost going to the toilet, and we have  
12 not seen a public hearing or hearings with the facts  
13 in hand as to what we are proposing. I think that  
14 although perhaps --

15 CHAIRWOMAN MORENO: Mr. Murai, excuse me for  
16 interrupting you. What do you think of Mr. Siemon's  
17 idea of having the limits based on the character of  
18 the neighborhood, so that Cocoplum could stay with  
19 those big houses and the North Gables would have a  
20 gradual, as opposed to a sudden, growth in housing?  
21 What do you think of that idea?

22 MR. MURAI: Well, I think that is an idea  
23 that could be developed. I think that we are  
24 rewriting the Zoning Code. I think all these matters  
25 could be, you know, engulfed into the Zoning Code,

1 into the new rewriting of the Zoning Code, and be  
2 properly studied, with the public hearings, you know,  
3 with the public input of the citizens.

4           You know, this is a community that we have  
5 lifelong residents, and we're dealing with lifelong  
6 investments here, and I see as absolutely out of  
7 character for this City to try to propose something  
8 overnight, within 24 hours, that is going to go in  
9 front of the Commission, you know, in two weeks, to  
10 get it -- you know, it's not consistent to what we do  
11 here in the City, and on top of that, it's punitive.

12           And Mr. Smith, if anything, I address you,  
13 that these cutbacks from 25 -- from 35 to 25, and  
14 from 30 to 20 should be considered to be revised, if  
15 you want to proceed on that basis, to perhaps 35 to  
16 30 and, you know, 30 to 25, as that would mitigate  
17 some of the stuff that you're even proposing  
18 regarding the -- you know, from the next -- from the  
19 5,000 to 10,000 and, you know, from 35 to -- you  
20 know, to 30, instead of 25.

21           MR. SMITH: Okay. What that would do, if  
22 you were to do that -- because I did look at what Mr.  
23 Murai is saying, instead of taking a 10 percent cut  
24 on each -- away from each level, take five percent  
25 away, and if you do that, if you look at the

1 comparative table, the difference in the square  
2 footage would be half as much for each lot size.

3 So, on a 6,000-square-foot lot, it would be  
4 a 50-foot reduction in the square footage. On an  
5 11,000-square-foot lot, it would be a 300-square-foot  
6 reduction, because that's -- you're cutting the  
7 amount of the reduction in half.

8 MR. MURAI: Well, I think that that -- you  
9 should consider that, but overall, I think that these  
10 regulations should not be allowed to proceed until  
11 the proper format, the proper study, the proper  
12 analysis be made and be part of the Zoning Code.

13 In addition, I want to bring to your  
14 attention Item Number 3, regarding giving more  
15 latitude to the Board of Architects. I respect the  
16 Board of Architects, and they're fine citizens. You  
17 know, I know a lot of them. But I think you're  
18 opening Pandora's box, because the Board of  
19 Architects, it is a board that is appointed, you  
20 know, from time to time by the politicians that are  
21 in place, and they might have different opinions from  
22 time to time. And you're delegating to make some  
23 changes to the board, whereas it is the  
24 responsibility of the City to set those terms and set  
25 those measurements for new homes. So I think that

1 also should be considered. I'm not totally against  
2 it, but I think that we have to be careful, whatever  
3 we do here.

4 Finally, I can tell you that in the Code  
5 Enforcement Board, we haven't seen complaints of  
6 McMansions and people complaining that, "My neighbor  
7 is looking over me," or whatever. What we see is  
8 dogs barking, and neighbors barking because of dogs,  
9 but the McMansion has not been an issue.

10 I'm asking you to please consider not  
11 approving these measurements. They're punitive in  
12 nature. They have been rushed, without the proper  
13 process, and that if you want to do something  
14 regarding the famous McMansion, it should be in the  
15 proper context and the proper format that we have  
16 used in the City for many, many years.

17 Thank you very much.

18 CHAIRWOMAN MORENO: Thank you.

19 MR. MAYVILLE: Before you sit down, is this  
20 something Code Enforcement should take a peek at and  
21 try to define what is the size house that falls into  
22 this category and what is -- what is with the Code --  
23 I mean, how do these things get built?

24 MR. MURAI: Well, I think we should be --  
25 you know, I think we should be happy to look at it,

1 you know, in the proper format. I think it more has  
2 to do with the Board of Architects and other boards,  
3 but, you know, I think that the complaints have been  
4 perhaps with, you know, one or two or three homes  
5 that have been looking over the other houses, and I  
6 don't think that this has been a major item, you  
7 know, and certainly the floor area ratio format  
8 reduction is not going to solve whatever problems  
9 they may be.

10 MR. AIZENSTAT: If I may ask a question,  
11 also. This is a two-part question.

12 Eric, my understanding is that the City is  
13 actually looking into a City Architect position.

14 MR. RIEL: Yes.

15 MR. AIZENSTAT: And that is something, I  
16 think, that would regulate more on an even keel, per  
17 se, the design, so everything would be based the  
18 same, as opposed to -- Is it the Board of Architects?  
19 Is that the idea of it? Or can you elaborate a  
20 little bit on that?

21 MR. RIEL: The discussion has been that that  
22 City Architect position would essentially kind of be  
23 the secretary to the Board of Architects --

24 MR. AIZENSTAT: Okay.

25 MR. RIEL: -- similar to me being the

1 secretary to the Planning & Zoning Board, and then  
2 provide for review, administrative review of certain  
3 things, and then obviously guide the Board, as I do,  
4 and provide recommendations on single-family homes  
5 and other issues they look at.

6 MR. AIZENSTAT: That way, would you have  
7 more conformity? Is that -- Would that position  
8 establish that?

9 MR. RIEL: I couldn't answer that, because  
10 obviously I'm not involved with the Board of  
11 Architects, so I can't really render an opinion on  
12 that.

13 MR. AIZENSTAT: And then -- Go ahead,  
14 please.

15 MR. MURAI: Your question is very to the  
16 point. The same thing that a home site looked at  
17 from the zoning perspective, it could be looked at  
18 from the architectural perspective by a Staff member,  
19 you know, and not by a political board, from time to  
20 time that may vary.

21 MR. AIZENSTAT: The other part is, how do  
22 you suggest or what do you suggest the City does in  
23 the meantime, while it's doing its Zoning Code  
24 rewrite, in an effort to help its citizens, so that  
25 it can stop or limit what's going on at this point

1 with the so-called McMansions, in an effort to allow  
2 it to review what needs to be done? How can we look  
3 at that in the interim basis, if we don't go with an  
4 interim type of provision? What would be your  
5 suggestion?

6 MR. MURAI: I think that perhaps -- There's  
7 very little you can do, unless, you know, you pick  
8 and choose as to what you do, but perhaps you can  
9 look at two-story homes, you know, and see how they  
10 blend into the neighborhood and into the adjacent  
11 property, but --

12 MR. AIZENSTAT: So you're saying, leave the  
13 one-story homes alone in the meantime and just look  
14 at two-story homes, as to how they qualify?

15 MR. MURAI: If you want to do something on  
16 an interim basis, you know.

17 MR. AIZENSTAT: Yeah, I'm just talking about  
18 the interim basis, until the Zoning Code is ready.

19 MR. MURAI: But, you know, I'm not sure that  
20 that's going to solve, you know, the problem. I  
21 think that the problem is overblown right now. I  
22 think that, you know, we don't have it throughout the  
23 City, and what concerns me with some of these issues,  
24 like you mentioned, is that Cocoplum is the area that  
25 is closest to the water. If there's destruction

1 there, then you're going to have a smaller home, next  
2 to a larger home. I mean, this is precarious.

3 MR. STEFFENS: But Andy, I don't think you  
4 have anybody from Cocoplum calling up and complaining  
5 about monster homes.

6 CHAIRWOMAN MORENO: No.

7 MR. MURAI: Of course not.

8 MR. STEFFENS: I think the only people that  
9 are possibly complaining about monster homes are from  
10 Coral Way north.

11 CHAIRWOMAN MORENO: Uh-huh.

12 MS. KEON: Yes.

13 MR. MURAI: Perhaps. You know, I'm not -- I  
14 haven't received any complaints, but no, they are not  
15 complaining. Homes are -- I've lived in the south,  
16 and nobody is complaining about the new homes.  
17 Actually, they're quite nice, that are being built.

18 MR. TEIN: Wouldn't your concern about the  
19 hurricane and the effect of having a nonconforming  
20 designation to an existing home that got destroyed  
21 during a hurricane and you'd have to retract a  
22 bedroom -- wouldn't that be eliminated if you just  
23 grandfather the existing homes in? It would,  
24 wouldn't it?

25 MR. RIEL: No, no, no. You can't do that.

1                   CHAIRWOMAN MORENO: You can't really do  
2 that, though, because that goes to all of your  
3 nonconforming uses. You can't pick and choose.

4                   To me, the problem is rendering -- adopting  
5 an interim regulation that is going to render --  
6 maybe nothing will be rendered nonconforming, but  
7 maybe all of Cocoplum is rendered nonconforming. We  
8 have no idea. No one has told us that.

9                   MR. STEFFENS: At least every house built in  
10 the last 10 years.

11                   MR. AIZENSTAT: But how long will the -- if  
12 this is an interim, how long -- That's a good  
13 question. How long would this interim proposal be in  
14 effect, Eric?

15                   MR. RIEL: If the Commission takes action on  
16 first reading and 30 days thereafter, my assumption  
17 is it would then be May, and then it would probably  
18 be an effective date either 15 to 30 days thereafter,  
19 so it would be somewhere in June, early June.

20                   MR. AIZENSTAT: And then it would be  
21 reviewable, if they wanted to renew it, or extend it,  
22 is a better word, until the Zoning Code rewrite is  
23 all in place?

24                   MR. RIEL: They could do that. I mean, they  
25 would just need to -- it would need to go back

1 through the process, or they can suggest at which  
2 time a recommendation comes forward from this Board  
3 that, you know, it only be in effect until such time  
4 as the Zoning Code is implemented.

5 MR. AIZENSTAT: Because the way I'm looking  
6 at it, to be honest with you, is either you establish  
7 something on an interim basis, or something that  
8 nobody wants to hear about is, you might have a  
9 moratorium placed, where you won't be able to build  
10 these homes until the Zoning Code -- or it's  
11 established as to what you can do.

12 MR. MURAI: Well, not really, you know.  
13 You have a Zoning Code. You have, you know, zoning.  
14 You know, you have a Code, homes are being built.  
15 You know, now, if you want to look at changing the  
16 Code, like you're rewriting the Zoning Code, well,  
17 then it's going to take time to put this into effect.  
18 They are not building McMansions like McDonald's  
19 builds hamburgers. You know, that is not happening  
20 here. You know, I'm using McMansion, but that's what  
21 was in the paper. I wasn't even aware that this was  
22 going on, and, you know, I chaired a board this  
23 week. I picked it up from the paper.

24 CHAIRWOMAN MORENO: But part of the problem,  
25 I think, that is being seen or perceived is that

1 developers are buying lots with the expectation that  
2 they can build the lot out to the maximum FAR under  
3 the existing Code, and that in not making them aware  
4 of the potential --

5 MR. MURAI: Right, but that is what I said,  
6 that the problem doesn't exist so much in the  
7 single-story homes. Perhaps it occurs on the two  
8 stories, going up, that perhaps that shows that it  
9 might be a larger home. The single -- no, the floor  
10 area ratio that we have right now on single-family  
11 homes, I don't think that that can qualify as  
12 McMansions. It is when you go up that perhaps raises  
13 a problem.

14 MR. STEFFENS: But Andy, nobody is building  
15 single-story homes, because you can't take maximum  
16 advantage of the FAF with a single-story home.

17 MR. MURAI: That is correct.

18 MR. STEFFENS: So nobody's building them.

19 MR. MURAI: That is correct. But what I'm  
20 saying is, this isn't going to solve the problem.

21 MR. STEFFENS: Exactly.

22 MR. MURAI: This is not going to solve the  
23 problem, and what really -- you know, what really  
24 bothers me is that this was just published today.  
25 What really bothers me is that 98 percent of the

1 residents of this City, they're not remotely aware of  
2 what is going on, that we don't have their input,  
3 that we don't have the public hearings, that we don't  
4 have the process, if we really want to change  
5 something.

6 MR. TEIN: You're saying that this chart was  
7 just published today?

8 MR. MURAI: Today.

9 CHAIRWOMAN MORENO: Right.

10 MR. TEIN: But these regulations were  
11 available?

12 MR. MURAI: They were yesterday.

13 MR. TEIN: As of when were they made  
14 available?

15 MR. RIEL: They were available today at  
16 noon.

17 MR. MURAI: Today at noon. Sorry.

18 CHAIRWOMAN MORENO: Okay. Do you know if  
19 your house is nonconforming by this? Because I  
20 don't.

21 MR. TEIN: My house conforms.

22 CHAIRWOMAN MORENO: Charlie --

23 MR. TEIN: (Inaudible).

24 MR. MURAI: So, and then on top of that,  
25 this was available today at noon. Thank you, Eric,

1 for correcting me. Now, and I'm not -- you know, I'm  
2 not -- Eric has no fault in this. You know, Eric is  
3 the messenger. And then we're going to approve this  
4 in two weeks, at the City level, at the Commission  
5 level? I guess we will have to create the atmosphere  
6 to be at the City Commission. But this is not the  
7 way of handling these matters. Come on.

8 Yes, Ms. Keon?

9 MS. KEON: I don't know that any -- I don't  
10 know that this Board has actually voiced an opinion  
11 that it is or it's not, either, and I think it's  
12 really -- just as it's your first time seeing it,  
13 it's also our first time in really looking at it and  
14 seeing it. So I think that we've heard from Staff,  
15 and then we will hear from the public, and then we  
16 will talk about it.

17 So, I mean, I think that, you know, thinking  
18 that this is going to go, whether there's hearings,  
19 not hearings or whatever else, may be premature, your  
20 concern.

21 MR. MURAI: Okay.

22 MR. TEIN: Let me ask -- let me just follow  
23 up on that. I mean, since this has only been  
24 circulated since yesterday --

25 MS. KEON: Right.

1           MR. TEIN: -- these regs, I mean, what  
2 opportunity do we have to -- we've had some really  
3 very, very good debate on this, and input, and I know  
4 we're going to hear some more, but what opportunity  
5 do we have to have this be considered for longer so  
6 that we could invite more input from the public on  
7 this?

8           CHAIRWOMAN MORENO: That's one of our  
9 options, but that's to defer it.

10          MR. RIEL: The Board has three options,  
11 basically. They can defer to request additional  
12 information as noticed, approve as recommended by  
13 Staff, approve with modifications, or deny.

14          MR. TEIN: And the other question I have --

15          CHAIRWOMAN MORENO: Thank you very much.

16          MR. MURAI: Thank you.

17          MR. TEIN: -- is, one of the things that you  
18 had raised, Madam Chairperson, is that there could be  
19 no grandfathering in this situation.

20          CHAIRWOMAN MORENO: No, no, no, I'm not  
21 saying that there couldn't be, but we have a -- as I  
22 understand it, we have -- it would be nonconforming,  
23 so you would have to create an exception to the  
24 nonconforming use regulation --

25          MR. TEIN: For this particular reg.

1                   CHAIRWOMAN MORENO: -- for this particular  
2 thing, which I think is difficult. Not impossible,  
3 but difficult.

4                   MR. MAYVILLE: Madam Chair, before we put  
5 any more energy in this, do we think that there was  
6 improper notice on this whole action, and if the --

7                   CHAIRWOMAN MORENO: I think that's a  
8 decision we can take, but I'd like to take all the  
9 testimony from the public so that we all have the  
10 benefit of how they feel about it, since they took  
11 the time and effort, with this limited notice, to  
12 come here.

13                   Will the next speaker please come up?

14                   MS. MENENDEZ-DURAN: Melissa Bassett.

15                   MS. BASSETT: Hi. I won't attempt to try  
16 to restate --

17                   CHAIRWOMAN MORENO: Wait. We need your name  
18 and address, please.

19                   MS. BASSETT: Melissa Bassett, 3416 Alhambra  
20 Circle. I just want to lend support to what Mr.  
21 Murai just expressed so eloquently, and also Cristina  
22 and Mike. I think today's discussion has been a lot  
23 more informed than the previous discussions that I've  
24 attended, where there's been a lot more opportunity  
25 for raising questions and concerns.

1           I just want to say that I completely concur,  
2 to try to pass something like this in, you know, what  
3 is really like a gunshot marriage, just seems like an  
4 inappropriate and ill-conceived idea to a very  
5 complex issue.

6           CHAIRWOMAN MORENO: Thank you.

7           MS. BASSETT: Thank you.

8           CHAIRWOMAN MORENO: The next person?

9           MS. MENENDEZ-DURAN: Michael Kerwin.

10          MR. KERWIN: Michael Kerwin, with offices  
11 at 800 Douglas Entrance, Coral Gables. I'm here in  
12 my capacity as president of the Miami Chapter of the  
13 American Institute of Architects, and I would just  
14 like to let you know that we're putting a letter into  
15 the record with some comments about some elements  
16 that are before you tonight, and I think some -- many  
17 other things that are part of the Zoning Code rewrite  
18 that aren't pertinent tonight. So I'll just touch on  
19 the ones that are, that have been discussed here, and  
20 I'll leave you all to read this at whenever the  
21 appropriate time is about the other stuff.

22          But we are here to voice support of the  
23 portions of the changes of the Code that include the  
24 changes to the capacity and the authority of the  
25 Board of Architects. We support that. We think that

1 adding responsibility in that -- what could be  
2 described as a subjective voice, is important because  
3 it's only -- there is nothing -- there is no code  
4 that can speak to every issue. There's no code that  
5 can speak to every consideration, every actuality  
6 that gets presented before it, no regulation in terms  
7 of numbers, even as sophisticated as the, you know,  
8 110 percent of the average of the homes in the block  
9 and the block in front.

10 So it's all about the humans and the  
11 individuals like yourselves, that give of themselves  
12 to work on boards, that can bring wisdom to that. So  
13 we're fully in support of that.

14 Having said that, I do have a couple of  
15 other comments in my capacity as representing the  
16 Board of Architects here tonight. One of the things  
17 is, you're considering some -- and this is going to  
18 support what's just been stated a minute ago. You're  
19 considering some extremely far-reaching things here.

20 As you well know, more than anyone, a Code  
21 is constitutive. It's really what, in some ways,  
22 generates the landscape of buildings that we have.  
23 Some of the changes that you're thinking about doing  
24 are fairly simple or simplistic, numerical, and so  
25 forth, and others are very -- extremely sophisticated

1 and will take -- will generate a whole series of  
2 activities that will have to take place if you adopt  
3 them, like who's going to go measure all these homes  
4 on these blocks and present you the numbers correctly  
5 that will then determine how this one block gets  
6 developed.

7           So I think that we would be in support of a  
8 farther reaching and deeper reaching process to get  
9 input, both from the public and from anyone that  
10 wants to have input.

11           The interim tends to become permanent, and  
12 no matter whether you're on a process towards  
13 adopting a Zoning Code, what's in place for a while  
14 tends to get momentum or get, you know,  
15 forward-acting inertia. So, if it's wrong, it's  
16 going to be harder -- even if it's temporary, it's  
17 going to be harder to undo at a later date. So we  
18 would really recommend that.

19           As to size, I think one of the things that  
20 really, absolutely needs to be established is that  
21 there is a problem and what the problem is. As I  
22 understand it, I haven't been to the other previous  
23 meetings, but no one's come here and said, you know,  
24 "Here's a picture of a home that we think is out of  
25 scale with its neighbors," or, "Here's a neighborhood

1 that's full of them," or, "This is what we mean when  
2 we say McMansion," and someone said it's like -- you  
3 know, everyone is going to define it differently, but  
4 if you can't hone in on that definition, then you're  
5 working on a problem that's ephemeral, and you can't  
6 really come to a conclusion on how to solve it, I  
7 don't think, unless you get that, that problem  
8 established.

9 I think some of the solutions -- because the  
10 problem hasn't been established, some of the  
11 solutions are sort of shotgun in nature, when actual  
12 surgical solutions are really what's necessary. Like  
13 my friend, Mike Steffens, has talked about the  
14 vertical quotient, the Z axis is just as important as  
15 the X and the Y. If you don't address that, then you  
16 won't solve the problem, so I think -- and I know you  
17 have consultants that can help you with that, so I  
18 think I would, you know, invite a deeper exploration  
19 of that.

20 As to style and as to detail, I will speak  
21 for the Board of Architects, but one of the dangers  
22 that we're perceiving from the direction that you're  
23 going is a micromanagement of design, and here I'm  
24 probably going to be in disagreement with most of you  
25 up there. The notion that you're going to solve

1 problems by telling people that in a two-story  
2 structure, the only thing appropriate to do is to set  
3 back at the second story, while those ideas come from  
4 all good reasons and all ideas about fitting into a  
5 neighborhood and not doing things that are adverse to  
6 neighbors, are really, in our opinion, wrong-headed,  
7 and that sort of micromanagement and legislation of  
8 design will be retrograde and will only lead to  
9 predictability, in the bad sense of that word.

10           So we would recommend that you try to find  
11 solutions that still allow for, you know, a plenitude  
12 of solutions, without getting into the minutia of  
13 individual designs and so forth in such a way that,  
14 especially when you get to the smaller lots, there  
15 will only be one or two solutions to get to a  
16 reasonable home that people need in this day and age.

17           As I said before, we are in support of the  
18 change to the Board of Architects. We are also --  
19 we're actually -- on one point, we're opposed to the  
20 change to allow the board to be entirely made of  
21 urban designers. We believe you ought to retain the  
22 requirement that licensed architects be -- make up  
23 board, for reasons that we don't need to go into this  
24 evening. We support the position of the City  
25 Architect, with some changes and some comments that

1 are in this letter in detail.

2 I'm not sure I understand what went on  
3 earlier, but we think that the Code ought to support  
4 as much variety in buildings as possible, and when I  
5 say that, I specifically refer to porches and  
6 terraces. If I've got the piece of paper, and maybe  
7 I left it behind me -- if I understand it, porches  
8 already count as .5 against FAR. If this piece of  
9 paper is up-to-date, if you look at paragraph (n),  
10 number 1e, "Screen porches shall be computed at  
11 one-half of the square foot area contained therein,"  
12 that doesn't bother you on a big lot, but if you want  
13 to create a screened porch on a 50 foot by 100 foot  
14 lot, that's a penalty. It's going to discourage the  
15 creation of screened porches.

16 Down below, you're actually adding or making  
17 a change that says floor space in rooftop terraces  
18 should be counted. I think that that's wrong-headed.  
19 You want as much variety as possible, and again,  
20 doing everything just to prevent a house from -- a  
21 two-story wall to come to the existing setback that  
22 you've already established is, again, I think,  
23 micromanagement of design.

24 So this is the position of the board, and  
25 we'd love to participate further, and we respect the

1 process, but we request that you continue tonight so  
2 that we can get a process that really is not about an  
3 interim solution, but gets full participation from  
4 the community for the actual zoning change.

5 Thank you.

6 CHAIRWOMAN MORENO: Thank you.

7 MR. RIEL: Can I get a copy of that letter,  
8 your letter?

9 MR. KERWIN: Yes, I'm sorry.

10 CHAIRWOMAN MORENO: The next speaker,  
11 please.

12 MS. MENENDEZ-DURAN: Zeke Guilford.

13 MR. GUILFORD: Good evening, Madam  
14 Chairperson and Members of the Board. For the  
15 record, Zeke Guilford, 400 University Drive, here  
16 representing Hibou, LLC, who is the owner of 8525 and  
17 8545 Old Cutler Road.

18 First and foremost, I ask that you not take  
19 any action on this matter this evening, for several  
20 reasons. First, which has already been explained by  
21 Mr. Murai, one portion of this came out at 12 noon,  
22 the other portion came out at 2:30. People are not  
23 aware of this. They have not had an opportunity to  
24 review it and see how it applies to them.

25 Furthermore, and more importantly, you do

1 not have the input in from the Board of Architects.  
2 Don't you think that something this important should  
3 have the input of the Board of Architects?

4 Now, you may say, "I'm taking it up to the  
5 Board of Architects tomorrow." However, you can't  
6 make a recommendation if you don't have their input.

7 Furthermore, as you stated, Madam  
8 Chairperson, you don't know how this affects the rest  
9 of the City. You don't know how it has any effect on  
10 any house in the City of Coral Gables.

11 Now, let me tell you about my client's two  
12 pieces of property. They make up seven and a half  
13 acres. Now, if I read this chart right, and I look  
14 at it, basically, if you just add the percentages  
15 together, it's almost a 75 percent, but I have to  
16 be reading it wrong. I believe the actual  
17 calculation is over 50 percent reduction allowed in  
18 the FAF, which is ridiculous on a two-acre site.

19 Furthermore, if we look at the small lots,  
20 the 50-foot lots, and if you look at the 6,000-  
21 square-foot lots, where you're only changing by a  
22 hundred square feet, that really is no different --  
23 you can't see a hundred square feet, really, and as a  
24 matter of fact, what's happened here tonight, I've  
25 heard Dennis Smith say it at least 15 times, and I

1 actually counted the times Charlie said it, over  
2 eight times, this isn't about square footage. It's  
3 about massing and design. You could have two  
4 buildings that are 2400 square feet, sitting right  
5 next to each other, and one you'll say, "Oh, my God,  
6 that is quite a mass, that's a McMansion," and the  
7 other one, that has good massing, fits right in and  
8 blends right into the neighborhood. It has nothing  
9 to do with square footage.

10           Furthermore -- and I'm going to use my  
11 father's house as an example. Talking about the  
12 terraces, that the second-story terraces or balconies  
13 would then count as part of the FAR, or FAF, what  
14 happens is, you don't get rid of the balcony, because  
15 if I have a covered first-floor terrace off my back  
16 of my house, the only thing you're telling me is, I  
17 can't use that roof as a balcony off a bedroom. You  
18 haven't pushed the house back. You haven't deleted  
19 that structure. Everything is still there.

20           So, Madam Chairperson and Members of the  
21 Board, what I'm asking you to do is really table this  
22 matter for more information. You need more  
23 information. But more importantly, this isn't an FAF  
24 issue. This is a design issue. And I'm asking you  
25 to -- and Charlie basically has a lot of the criteria

1 set up, or some criteria. That's what you should be  
2 looking at, design criteria, because that is what  
3 makes the bulk of the house. Whether I have all my  
4 mass up front, and when you drive by -- because you  
5 don't see the back of the house, you see the front of  
6 the house, and if I put all my bulk up there,  
7 regardless of what the square footage is, you would  
8 think it's a big mass.

9 So, ladies and gentlemen, I ask that you go  
10 ahead, ask Charlie and Staff to prepare some design  
11 criteria that better fits this situation, because  
12 it's not -- it has nothing to do with square footage.  
13 It has to do with massing. Thank you.

14 CHAIRWOMAN MORENO: Thank you, Mr.  
15 Guilford.

16 MR. AIZENSTAT: If I may ask a question.

17 CHAIRWOMAN MORENO: Mr. Guilford, we want  
18 you back.

19 MR. AIZENSTAT: Mr. Guilford, just a  
20 question for you. One comment.

21 MR. GUILFORD: Sure.

22 MR. AIZENSTAT: One of the reasons that this  
23 issue has come up is because of the houses that are  
24 existing today that they call McMansions. Those  
25 houses have already -- when they were built and

1 designed, they have already gone to the Board of  
2 Architects.

3 MR. GUILFORD: Correct. What's happened is,  
4 and I think Dennis has kind of said it, what happens  
5 is, either people wear down the Board of Architects,  
6 they keep coming back, and they say, "Okay, make this  
7 change and make that," and they come back, and after  
8 a while they finally say, "Just go," and they really  
9 don't have a criteria to which to govern, like  
10 Charlie said, hey, if you've got a second story,  
11 you've got to set it back this, you've got this --  
12 You don't want sheer walls going down, especially on  
13 a 50-foot lot, where you have five feet between your  
14 property line and the house. Essentially, what  
15 you're going to end up with is two houses that are 10  
16 feet apart, going up for 34 feet. That's -- that's  
17 what gives you the perception of the house, not the  
18 square footage. It's how it's laid out on that site.

19 MR. AIZENSTAT: But I do think, as far as  
20 the Board of Architects, the current administration  
21 is looking into that. I think that's why -- one of  
22 the reasons that they've proposed a City Architect,  
23 and to see how to do that.

24 On a second question, if I may, your  
25 clients, they have seven and a half acres?

1 MR. GUILFORD: Seven and a half acres.

2 MR. AIZENSTAT: When they take those seven  
3 and a half acres, before any of this is done, their  
4 vision for those seven and a half acres is what? I'm  
5 trying to get an example. Do they want to have seven  
6 homes, one acre site each?

7 MR. GUILFORD: No, no, no. It's actually  
8 two, like three-and-a-half-acre sites, is what it  
9 really --

10 MR. AIZENSTAT: They want to have two  
11 three-and-a-half-acre sites?

12 MR. GUILFORD: Two three-and-a-half-acre  
13 sites.

14 MR. AIZENSTAT: Now, have you looked at the  
15 fact, what would happen if your client went ahead and  
16 took that and divided it into seven one-acre sites,  
17 or took that and divided it into half-acre sites,  
18 what the outcome would be, according to that chart?

19 MR. GUILFORD: Mr. Aizenstat, we would like  
20 to, but unfortunately, we only got these provisions  
21 today, so it's impossible to answer your question.

22 MR. AIZENSTAT: Right, which makes sense.

23 MR. GUILFORD: Yeah, absolutely. All  
24 right. Thank you.

25 CHAIRWOMAN MORENO: Thank you.

1                   Next speaker, please.

2                   MS. MENENDEZ-DURAN: Mamta Fryer.

3                   MS. FRYER: Good evening. Thank you all so  
4 much for having this discussion. I cannot tell you  
5 what a hot button issue this is for neighbors and  
6 residents that I've talked to. When the article came  
7 out in Neighbors, everybody said, "Oh, I'm so glad  
8 we're discussing this," because it's just been sort  
9 of subterranean rumblings till now, and there may not  
10 have been enough notice as far as the figures that  
11 came out, but the fact that you're addressing it is  
12 extremely valuable and extremely appreciated and, you  
13 know, everybody knows, as any jeweler will say this,  
14 that the value of any piece of jewelry is  
15 commensurate with its setting. You know, it depends  
16 on the size and the scale of the setting, and I think  
17 that Coral Gables is a gem like that, and the setting  
18 is so important to it. All you have to do is drive  
19 out of the Gables and drive back in, and the  
20 temperature drops like 10 degrees on your car  
21 thermometer. You can see it go down when you come  
22 in, because of the trees and the green space.

23                   But I think that, you know, when we're  
24 talking about it being punitive for some people who  
25 have lots, not to be able to build up to the maximum

1 allowable, I don't think we're taking into account  
2 how punitive it is for those of us who would be  
3 impacted by this --

4 CHAIRWOMAN MORENO: I'm sorry, what Mr.  
5 Murai said was, it would be punitive for someone who  
6 has an existing house --

7 MS. FRYER: Uh-huh.

8 CHAIRWOMAN MORENO: -- to be told he could  
9 not rebuild it in the event of a disaster, not for  
10 people who have vacant houses.

11 MS. FRYER: Okay, or if they're not allowed  
12 to build up. Now, you were saying about, you know,  
13 if you couldn't add a bedroom to a smaller house  
14 because you love your house and you don't want to  
15 move and your family is growing.

16 CHAIRWOMAN MORENO: You can't afford it.

17 MS. FRYER: Well, that's true, too. But  
18 this is what I'm saying, that when we're talking  
19 about property values, one of the things we should  
20 also consider is what you yourself, Madam Chairman,  
21 brought up, and the reason, I think, that so many of  
22 us are so invested in this is a quality of life  
23 issue, too, and preserving our neighborhoods. You  
24 know, it's been our -- our vision or our misfortune  
25 to always live in neighborhoods that are charming and

1 then people want to come in and develop them.  
2 Princeton, in New Jersey, Coconut Grove, and now  
3 we're here, and so perhaps we are ahead of the Code.  
4 We see the charm of it, but we don't want to lose it.  
5 We want to preserve the neighborhoods. So I think  
6 what you're doing would be very valuable in giving us  
7 a sense of that, and thank you very much.

8 CHAIRWOMAN MORENO: Thank you so much.

9 MS. MENENDEZ-DURAN: Laura Russo?

10 MS. RUSSO: Good evening, Madam Chair,  
11 Members of the Board. For the record, Laura Russo,  
12 2655 LeJeune Road.

13 I am here this evening on behalf of Gables  
14 Estates Club. I received a call this afternoon  
15 regarding the proposed interim provisions, and the  
16 concern that Gables Estates has is one that Madam  
17 Chair raised, which is that, should there be a  
18 hurricane, many of these homes may be nonconforming  
19 and may not be able to be rebuilt.

20 But also, I want to bring something up, that  
21 several years ago, Gables Estates hired the firm of  
22 Correa, Valle & Valle, to study the regulations of  
23 Gables Estates and to address some specific --  
24 site-specific issues that occur when you have bigger  
25 size lots. As you heard from Mr. Guilford, those

1 lots are in Gables Estates. They're three and a half  
2 acres. They're two sites, three and a half acres  
3 each.

4 The smallest lot in Gables Estates is  
5 approximately one acre, up to about four or five  
6 acres in size, and some things that apply for the  
7 smaller lots don't necessarily apply, and so Gables  
8 Estates hired this firm that went and looked at how  
9 Gables Estates' restrictions, in some ways, are more  
10 restrictive than the current Zoning Code, but in  
11 other categories, residents were constantly having to  
12 go to the Board of Adjustment for variances on column  
13 height. A four-foot wall and a six-foot wrought iron  
14 fence may be fine on a 50-foot front lot, where you  
15 have the person right there and the setback is 25  
16 feet, but in Gables Estates, most homes have a  
17 50-foot setback. They have 30-foot side setbacks.  
18 So most of the homes in Gables Estates are 60 feet  
19 apart, and a lot of Gables Estates can take the  
20 greater massing that a 50-foot lot or a 75-foot lot  
21 or a hundred-foot lot can't take.

22 So I think sometimes we're mixing apples and  
23 oranges. When we're talking about these different  
24 communities and neighborhoods, we have to look that  
25 they're not all the same and can't necessarily be

1 treated on a sliding scale, and what we're going to  
2 do is pass these interim provisions, as well as the  
3 proposed provisions, to the architectural board of  
4 Gables Estates, for them to review them and see what  
5 impact it would have on the Gables Estates community  
6 as a whole. So we would like some time to address  
7 the -- I know we have time on the proposed rewrite,  
8 but on the interim provisions, to give the five  
9 architects who currently serve on the Gables Estates  
10 Architectural Board an opportunity to see what the  
11 potential impact is on existing homes, as well as  
12 homes or lots that have yet to be built, and there  
13 are some vacant properties in Gables Estates.

14 CHAIRWOMAN MORENO: Thank you.

15 MS. RUSSO: Thank you.

16 MS. MENENDEZ-DURAN: Jose Roque?

17 MR. ROQUE: Hi. My name is Jose Roque. I  
18 live at 2506 North Greenway Drive. Thank you for  
19 this meeting, and I just found out about it a little  
20 while ago, so that's why I came.

21 I asked this gentleman, because I was going  
22 over there, going nuts, because I've lived in the  
23 Gables for 11 years and, you know, I've seen the  
24 Gables grow to a beautiful place, and I think for us  
25 to come back, and especially under these

1 circumstances, these interim -- and knock out all  
2 these, you know, available -- you know, I myself want  
3 to build. I want to go ahead and -- you know, I have  
4 five kids. You know, I need more room in my house,  
5 and all of a sudden, from what this is telling me,  
6 the plans that I have -- I've got a 17,000-square-  
7 foot lot. I've got to take almost a thousand square  
8 feet off of the design that I already have, because I  
9 won't be able to conform.

10           You know, I bought that lot with the idea of  
11 building a comfortable home for my family, and all of  
12 a sudden -- and I'm sure -- you know, because  
13 obviously we're not even close to any kind of  
14 representation of the people who live in the Gables,  
15 you know, to make this kind of determination so  
16 quickly. You know, I agree with you a hundred  
17 percent, it's not square footage. It's design.

18           I mean, I can tell you quite a few different  
19 places, and you go -- addresses, and they're  
20 beautiful homes, and they're 2400, or they're 5,000,  
21 or they're 7,000-square-foot homes, and they fit in  
22 beautifully, and there's some 2400-square-foot homes  
23 that I have no idea how -- and it hasn't been that  
24 long since they've been approved. You know, some of  
25 the -- There's a blue house up there, just north of

1 Alhambra, and that house has been there -- it only  
2 got built, maybe two years ago. So that was  
3 approved, and that's one of those that I would say,  
4 "Yeah, that's a -- you know, that should be a poster  
5 child in that article," you know, but then, there's  
6 other homes that are beautifully done and they  
7 shouldn't be penalized, and homeowners who are going  
8 in today and buying properties at the dollars that  
9 they're paying, you know, all of a sudden it doesn't  
10 make sense.

11           So, if you're an older person and you're now  
12 looking to retire, you just told that person that  
13 their values -- the value of their property, you just  
14 cut it probably in half, because it doesn't make  
15 sense to build a 2,400-square-foot -- or 1700-square-  
16 foot home on a 5,000-square-foot lot, when you can't  
17 pay less than 300,000 or \$400,000, you know, if you  
18 find one. You know, it doesn't make any sense.

19           You know, and again, I'd agree with the  
20 statement of this architect. It's blown out of  
21 proportion. You know, I've driven around. I think I  
22 heard something about this, a couple of months ago,  
23 and we've driven around and driven around. Yeah,  
24 you're right, if you go to Cocoplum, it's a townhouse  
25 community, but that's what it was designed to be, you

1 know, but the rest of the Gables, you drive around  
2 and, you know, I would love for someone to be able to  
3 come up and say it's 20 homes, or it's 10 homes, and  
4 it's in this certain area, you know, and if it is,  
5 then go back and try to find out, why did they  
6 approve them to begin with? You know, what is the  
7 Board of Architects there -- they should be able to  
8 say, "You know what? That 50-foot wall that's  
9 30-foot-high" -- and look, if it looks terrible now,  
10 it has to have looked terrible in the drawings, and  
11 no matter how many times somebody brings it back to  
12 you, you know, if that's what you're there for, then  
13 you shouldn't be approving that, you know, and I  
14 truly believe that this should be brought up before  
15 the neighborhood, because there's a lot of, you know,  
16 economic issues, that it's not just, you know,  
17 somebody wanting to reduce square footage. So I  
18 thank you for your time.

19 MR. TEIN: Thank you.

20 CHAIRWOMAN MORENO: Thank you.

21 MR. STEFFENS: Thank you.

22 MS. MENENDEZ-DURAN: Frank Perez?

23 MR. PEREZ: Hello. My name is Frank Perez.

24 I live at 6665 Southwest 69th Lane. I own a few  
25 properties in the Gables, and I'm here to speak

1 against the proposal.

2           The reduction -- the proposal to reduce the  
3 square footage would do little to reduce the mass. I  
4 would think it would be more effective to maybe look  
5 at setbacks and look at height reductions. A small  
6 house, you know, doesn't need, you know, 12-foot  
7 ceilings. If you reduce the ceilings on smaller  
8 houses, it would probably fit better in the  
9 neighborhood.

10           You need to look at where are the problems,  
11 and I believe the problems exist when you have a  
12 large lot in a neighborhood of small -- mixed in with  
13 a neighborhood of smaller lots. When you have a  
14 large lot by itself, a large house gets built, and  
15 then it overpowers the neighborhood and is just --  
16 you know, that's the real problem.

17           In the North Gables, you have certain places  
18 where you have a large lot and, you know, if you  
19 build it to these numbers that are proposed here, or  
20 you build it to, you know, the existing numbers, it's  
21 going to be -- it's still going to be a problem. You  
22 know, it's the fact that the lot is larger than the  
23 surrounding lots, and if you have, you know, let's  
24 say, a hundred-foot lot in an area of 50-foot-wide  
25 lots, whatever house you build, according to these

1 numbers or the existing numbers, it's going to be out  
2 of place. And those -- you have to look at the  
3 design of the house, the setbacks, the heights, to  
4 make it fit in better.

5           These reductions on a 6,000-square-foot  
6 house -- a 6,000-square-foot lot, the hundred foot  
7 isn't going to do much for the massing, probably  
8 nothing, in my opinion, and it may affect -- you  
9 know, it will affect, a lot, the house. It may make  
10 a four-bedroom house a three-bedroom house.

11           On the larger lots, you know, the proposals  
12 are quite significant. Maybe for a property in  
13 Cocoplum, a 15,000-square-foot house, a thousand  
14 square feet, you know, less is quite significant. If  
15 you build it to the same setbacks and to the same  
16 height, it's not going to reduce the mass.

17           I heard, before, suggesting to go to an  
18 average square footage of the neighborhood. In a  
19 certain -- in a neighborhood like Old Cutler Bay,  
20 that wouldn't be too fair for a house -- let's say, a  
21 house that's -- a property owner of a house that's on  
22 a lot, on a street that hasn't been redeveloped yet,  
23 and there's maybe 10 homes on that street that were  
24 built in 1950, and there may be only -- only one new  
25 home, and the average, of course, is going to be

1 maybe 3,000 square feet, of those 1950 homes.

2           It would be wrong to say, okay, the next  
3 house that gets built in that street is going to be  
4 3,300. It wouldn't be fair, and then maybe on the  
5 next street over, there's more new homes and they  
6 build the 6,000-square-foot home. And then the  
7 person that -- you know, the last house that gets  
8 built on that street that right now is, you know,  
9 mostly old homes, then that person would get to be  
10 able to build bigger homes because they waited till  
11 the end. It just doesn't seem fair.

12           I do agree that the Board of Architects, if  
13 they're given more power, they should have a City  
14 Attorney -- a City Architect to help them direct and  
15 be more uniform in their decisions, and I also agree  
16 with the statement earlier that a hurricane, if it  
17 comes -- if these temporary provisions were enacted  
18 and a hurricane came this summer to a community like  
19 Cocoplum or Gables Estates, you would have a lot of  
20 homeless people, you know, without any, you know,  
21 idea of whether, you know, the Code is going to  
22 change, should they wait to make new plans or if they  
23 have to redesign completely from scratch. They would  
24 be, you know, homeless, in limbo, with what to do  
25 with their property.

1           Okay, well, that's it. Thank you.

2           CHAIRWOMAN MORENO: Thank you very much.

3           MS. MENENDEZ-DURAN: Jose Cue.

4           MR. CUE: Hi. Good evening. My name is  
5 Jose Cue. I'm the property owner of the now infamous  
6 767 Minorca, the house on the corner of Alhambra and  
7 Cortez.

8           I'm here to speak, first of all, just to say  
9 that I'm a little -- I should -- The Mayor and some  
10 of the other people that are saying that the house  
11 doesn't -- perhaps is insinuating that the houses in  
12 Coral Gables are built to exceed any ordinance, I  
13 think that completely undermines the expertise and  
14 knowledge of the Building Department here.

15           All plans that come through -- that initiate  
16 here with the Board of Architects and then go up to  
17 Planning and Building & Zoning, Dennis Smith, Joe  
18 King, those people, they look at these plans and  
19 scrutinize them very carefully, and any house that's  
20 being built now has met or exceeds -- is exceeding or  
21 meets all the Codes.

22           So, with the -- addressing the issue here of  
23 vertical massing, which seems to be what Mr. Steffens  
24 has pinpointed, reducing the FAF doesn't address the  
25 vertical massing. You can still build a small house

1 that goes up 22 feet, 50 feet across, and someone is  
2 still going to be surprised and say, "Well, that's a  
3 monster house."

4           With regards to the issue of my house, that  
5 house was an inspiration from the Venetian Pool. The  
6 tower in itself is a replica of what you see in the  
7 Venetian Pool. The long loggias in the trellis area,  
8 it's an inspiration from that, which is a design  
9 right out of George Merrick's architects. So to  
10 insinuate that the house doesn't fit in the lot just  
11 because -- it's actually 22 feet, from first finished  
12 floor to the tie beam. You're allowed to go to 34  
13 feet. The tower is within the 34-foot limit. It  
14 does sit well with the house across the street. The  
15 house on the other -- the house to the west, the  
16 house across the street, the green house to the  
17 south, the same lot coverage.

18           My next-door neighbor's house, built in  
19 1926, sits five feet off the property line. My house  
20 is not the house that's three feet off; it's the  
21 encroaching house from the George Merrick design  
22 that's sitting three feet off of my property line.  
23 So, as a homeowner, I'm being penalized because I'm  
24 building within my setbacks, but yet there's a  
25 structure next to me that's not.

1           I don't think that these issues here are  
2 being looked or scrutinized carefully here, and any  
3 decision to rush here is a significant decision and a  
4 decision that could significantly alter the property  
5 values for all of Coral Gables. You're going to have  
6 residences that have mortgages that exceed the  
7 property values, which can only bring foreclosures,  
8 which can bring, you know, comparable lot sales that  
9 will bring down the whole neighborhood.

10           I feel like we're being penalized here for  
11 evolution. In the 1950s, people had maybe one car,  
12 one TV, no computers, smaller families. And we're  
13 not -- you know, we're not looking beyond the larger  
14 scope, which is, people are -- these houses that are  
15 being developed are being developed because this is  
16 what the people are asking for. A four-bedroom house  
17 is not unreasonable. A 3,000-square-foot house -- My  
18 house is 3200 square feet, four bedrooms. I don't  
19 think that's unreasonable. The lot is 8,000 square  
20 feet, or just shy, 7925. I don't think that that's  
21 completely unreasonable.

22           This is an issue that -- perhaps the  
23 vertical massing should be addressed in a way where,  
24 instead of being allowed to build -- How can I  
25 explain this? Let's say you have a 50-foot-wide

1 structure that goes up 12 feet. Maybe you can  
2 only -- maybe only being able to build a percent of  
3 what's below, above it, directly above it, will help  
4 resolve this issue, or address the issue.

5           But I think any decision rushed to a  
6 conclusion like this is a significant impact on the  
7 entire community, a decision that can't be reversed,  
8 and with evolution, it's only a matter of time before  
9 you see all the houses in North Gables start to be  
10 redeveloped. Every day, I receive six phone calls  
11 that say, "Your house is wonderful. You built it so  
12 quickly. Do you do additions?" Every day. I see --  
13 That's at least six, 12 phone calls, just from that  
14 house there.

15           So this is an issue which is going to be  
16 continuing in the future, and it's an issue that  
17 you're going to see, just out of evolution. All the  
18 small structures have reached the end of their useful  
19 life, and they're going to be redeveloped, as we do  
20 with cars, as we do with anything else, computers,  
21 you name it. It's evolution.

22           So I understand that Coral Gables wants to  
23 preserve the neighborhood, and I think that there can  
24 be a happy medium found between us who build and the  
25 Code. But as the current Code stands, all the

1 structures that are being built are being built  
2 within that Code, and I think it's a terrible thing  
3 to say that these guys who go through the daily grind  
4 here, you know -- or insinuating that there's houses  
5 that are being built out of Code or exceeding the  
6 ordinances. It's awful. That's all I have to say.  
7 Thank you.

8 CHAIRWOMAN MORENO: Thank you very much.

9 MR. STEFFENS: You know, I'm really glad you  
10 came here today, because when I heard that there was  
11 an article in the Gazette about monster houses and  
12 that this was coming before us, and then I looked at  
13 the article and I saw the picture of your house  
14 there, I thought that would be the last house that  
15 would ever appear as a model for the monster home. I  
16 think your home has handled the regulations of the  
17 City extremely well. I think it's a beautiful home.

18 MR. CUE: Thank you.

19 MR. STEFFENS: And I think it was done  
20 extremely well. I think there's other examples that  
21 should have appeared there, but yours is definitely  
22 not the home that should have been used as an  
23 example.

24 MR. CUE: Just for the record, the whole  
25 center of the house is a courtyard, so it's empty.

1 If you were to look at it from the air, it would look  
2 something like the Pentagon. There's a big hole  
3 there. So it doesn't cover the whole, entire lot.

4 MR. STEFFENS: I walked through it, about a  
5 month ago.

6 MR. CUE: Okay. And it was designed that  
7 way to offer privacy for both the person who owns it,  
8 myself, because I'm facing Cortez, and my next-door  
9 neighbor. I didn't want to face my next-door  
10 neighbor's back yard, so -- and a corner lot is  
11 specifically difficult, because you have two  
12 neighbors to deal with, so you really have to make  
13 compromises.

14 MR. STEFFENS: You also have two front  
15 setbacks on a corner lot --

16 MR. CUE: Correct.

17 MR. STEFFENS: -- which makes it even more  
18 difficult to work with.

19 MR. CUE: Absolutely. Thank you. Have a  
20 good night.

21 CHAIRWOMAN MORENO: Thank you.

22 MS. MENENDEZ-DURAN: Jorge Hernandez.

23 MR. HERNANDEZ: Good evening. Jorge  
24 Hernandez, 337 Palermo Avenue, Coral Gables.

25 A lot of the comments that I thought I was

1 going to say, I won't need to, because I think some  
2 of my feelings on the matter have already been  
3 expressed, and in particular, they have to do with a  
4 question as to, you know, what is the haste, what is  
5 making this a decision that has to be made in such  
6 haste, particularly when, as we've seen by comments  
7 from members of the Board and from members of the  
8 public, when these decisions will affect the lives of  
9 many people who live in the City and who have made  
10 decisions about the purchase of their home or their  
11 property in Coral Gables, very consciously and aware  
12 of the fact of what the financial implications of  
13 current law are and will be into the future. And I  
14 don't need to belabor that point any more.

15           There are a couple of things that I would  
16 like to second, that Michael Kerwin said earlier. I  
17 don't know if he's still in the hall.

18           CHAIRWOMAN MORENO: He just stepped out.

19           MR. HERNANDEZ: He just stepped out. When  
20 he spoke on behalf of, I assume, himself and the  
21 Board of Architects and the AIA, and I really cherish  
22 the opportunity to say this and I'll explain so  
23 later, and Mike kept reusing a term, don't micro-  
24 manage the design process.

25           There are those of us who love words and

1 those of us who love images, and some of us are  
2 gifted enough to be able to use both of those  
3 things. But a picture sometimes is more valuable  
4 than a sentence, and at other times a sentence is  
5 much more effective or inspiring than a picture, and  
6 to try to do what a picture does in a sentence is  
7 very difficult. I think you can legislate a certain  
8 amount of quality assurance. You cannot legislate  
9 brilliance or artistry, and to micromanage the Code  
10 and to say, if the house is three feet larger on the  
11 left, then step it back two and a half, and if it  
12 goes up 10 feet, step it back another two and a half,  
13 you're going to be -- first, you're losing an  
14 opportunity for yourselves as citizens, and for those  
15 professionals that deal in design to really give you  
16 the kind of city you want to live in.

17           And secondly, and you're probably going to  
18 be able to drive around town and say, "Oh, that house  
19 was built under that Code," because they're going to  
20 start the kind of machination of the back and forth  
21 stepping.

22           So I really wanted to underscore Mike's  
23 point, and how you solve issues of design is a more  
24 difficult and complicated question that I will speak  
25 to at the end, but I don't think you should try to

1 overlegislate the issues of design.

2           The point that was also made earlier -- and  
3 I do understand that all of this came -- all of this  
4 information came to us, most of us that are here  
5 tonight, in the last 24 to 30 hours, more or less.

6           CHAIRWOMAN MORENO: In the last 12.

7           MR. HERNANEZ: Yeah, and I have learned that  
8 there are actually two documents circulating, but I'm  
9 becoming more familiar, but I was unclear when the  
10 meeting started what the nature of the two documents  
11 were. But it seems one document reflects work done  
12 by the zoning consultant, Mr. Siemon, and maybe a  
13 view towards the more long-ranging changes in the  
14 Code, and the other document is an internal document  
15 of Staff that addresses this pressure that the  
16 Commission seems to want to see put in place, that  
17 has to do with an immediate provision, and I think in  
18 both cases, they both need to be vetted out longer.

19           But so, I would just underscore many of the  
20 comments said tonight, that whatever it is that's  
21 driving the urgency, there are perhaps more things on  
22 the down side for acting quickly than there would be  
23 for really studying this, especially since many  
24 people have said repeatedly, you know, "How many  
25 monster homes do we really have? Should we really

1 study this?" I think all of these things are  
2 important.

3           The last comment that I'd like to make has  
4 to do with this notion of context, and it's related,  
5 I think, to previous discussions that we had  
6 vis-a-vis the lot split issue, and if you remember,  
7 when we came here to discuss the lot split, and I  
8 showed up as well that evening, to share some of my  
9 thoughts with you, we kind of coupled the two  
10 things. We coupled this notion of -- I hate the term  
11 monster home. What is that, a house where monsters  
12 live? I haven't really met a monster in Coral Gables  
13 yet, but anyway --

14           But it couples this issue of houses that  
15 seem to be oversized for their context, with lots  
16 that are either oversized or not. So it really is  
17 trying to get around the same issue, which is  
18 contextual neighborhood design. And the reason I say  
19 that is that I think, as we go forward, we're going  
20 to continue to probe at this issue, and we should  
21 look at this as a good thing. We have the -- it's a  
22 luxury. It's a luxury that we live in a beautiful  
23 city, that we are affluent, that we can really think  
24 of the best possible life and envision the best  
25 possible life and try to attain it, and it is your

1 chore and the chore of many that sit on boards to  
2 sort of tend to this garden that we call Coral  
3 Gables, and like a garden, it needs constant  
4 management. Don't come and visit my garden, because  
5 I'm not a very good manager of my garden, but in  
6 essence, that's what we're doing here tonight. Those  
7 of us that are on the Board and those that are just  
8 concerned citizens are here because we love this  
9 place and we want to keep it as good as it is and  
10 hopefully make it better for the future, and that is  
11 true of any great cities that you've ever visited or  
12 ever loved. So it's a good chore to have.

13 Now, I say that because, when we talk about  
14 context, we're really putting together a number of  
15 boards whose work acts in concert. The Historic  
16 Preservation Board is a board by which we can assign  
17 value to those things we hold in common and know are  
18 important to our heritage. The Architectural Review  
19 Board is a board that determines what is appropriate,  
20 aesthetically, for this town.

21 Your Board determines many issues having to  
22 do with -- from quality of life issues, and I would  
23 argue even is concerned sometimes with aesthetics,  
24 and I think that as we develop our sense of  
25 sophistication and rewrite the Code, the conversation

1 and the interaction between these boards will need to  
2 be discussed, but I think there are in place certain  
3 rules currently that would ensure that we not  
4 demolish everything and that the City would have a  
5 new face in 20 years. We know that to be true. It's  
6 part of the Historic Preservation Ordinance, which  
7 now requires every person that demolishes a house to  
8 have that demolition permit first reviewed by the  
9 Historic Preservation Ordinance, whether or not that  
10 house has been designated, and as a preservationist,  
11 I think that was a huge step for the City.

12 But the reason why I say I think I want you  
13 to think more carefully about the context is this  
14 principle that was stated earlier about houses being  
15 granted larger FAR, given the context of their  
16 neighborhoods. I think that's a fallacy, as well,  
17 because A, as I think Michael Kerwin, said, "Who's  
18 going to police that? How do I get from Public  
19 Records a drawing of the neighboring house, and then  
20 if I notice that the drawing on record doesn't  
21 reflect the reality of what's there, do I blow the  
22 whistle on them because they added a room without a  
23 permit, or seemingly added a room without a permit?"

24 Now, that's the kind of quotidian,  
25 logistical, dumb way to look at the issue. A more

1 inspiring way to look at the issue is, why are we  
2 then -- I shudder to use the word -- well,  
3 limiting -- why are we limiting our neighborhoods to  
4 get no better than they are? Why are we saying all  
5 new construction will be measured by the ruler that  
6 the neighborhood uses to measure, and you might say,  
7 well, aren't you a contextualist? I'd say yes, I am,  
8 but I think we have to start making a distinction  
9 between context as something literal, in other words,  
10 the guy's house next door, and the more intellectual  
11 or a more inspired view of context, which is those  
12 things we cherish and hold true, that truly make up  
13 the best image of our City.

14 I do not have hard facts, but I would  
15 venture to say that there are no more than 25 percent  
16 of the houses in Coral Gables that are Mediterranean  
17 Revival homes, and yet, when you drive through our  
18 streets and you close your eyes and you are asked,  
19 what is the image of our City, in particular, when  
20 you're dealing with our City in the north and middle  
21 section, the image of our City is the image of  
22 Mediterranean Revival architecture, and yet this  
23 makes up, I would say, less than 25 percent of the  
24 houses. Why is that? Because that architecture is  
25 so beautiful that it forges an indelible image on our

1 mind.

2           And so I may not be next to one of those  
3 houses, one of those houses may be a block and a half  
4 away from me, but that is my context, not the house  
5 immediately next to me, and this doesn't make your  
6 chore any easier. In fact, it makes it more  
7 difficult. But when we talk about context, I think  
8 we have to think about context in that light. And to  
9 me, that is what makes good cities. It's about  
10 people coming together and forging and discussing and  
11 deciding what is the best that we have from our past  
12 and how do we maintain it and how do we project a  
13 positive vision of growth for the future. And that's  
14 what the preservation ordinances and the Code do  
15 together, and I would say, don't change them until  
16 you're absolutely sure that those documents,  
17 together, promote the best vision possible for us.

18           Thanks.

19           CHAIRWOMAN MORENO: Thank you.

20           MR. STEFFENS: Before you go --

21           MR. HERNANDEZ: Sorry.

22           MR. STEFFENS: I have some specific  
23 technical questions that you might not remember.

24           MR. HERNANDEZ: Sure.

25           MR. STEFFENS: The house on Anderson --

1 MR. HERNANDEZ: The house on Anderson --

2 MR. STEFFENS: It's in the 3000 block,  
3 approximately.

4 MR. HERNANDEZ: You're talking --

5 MR. STEFFENS: You did quite a while ago?

6 MR. HERNANDEZ: That I did?

7 MR. STEFFENS: Yes.

8 MR. HERNANDEZ: Okay.

9 MR. STEFFENS: That house, is that on a  
10 50-foot lot or a larger lot?

11 MR. HERNANDEZ: I've done three houses on  
12 lots whose width are 50 feet wide. And I was kind of  
13 snickering through some of the commentary. The house  
14 that I've done that is on the smallest lot, a  
15 50-by-100 foot lot, is a house built to 2,400 square  
16 feet. I did it for myself, and I've lived in it for  
17 the last 12 years, with a family of five people, and  
18 we've been very happy. I think it fits the  
19 neighborhood very well. It's been published in a  
20 number of -- I'm saying that not to tout my home, but  
21 just to say that others have recognized that the  
22 house is beautiful. It's been published in a number  
23 of architectural magazines.

24 There are two other houses that I have done  
25 on 50-foot-wide lots. Both of those lots were 120

1 and 125 deep, respectively. I think the one on  
2 Anderson is 120, Michael.

3 MR. STEFFENS: But it's a 50-foot lot?

4 MR. HERNANDEZ: It's a 50-foot lot.

5 MR. STEFFENS: And the floor-to-floor  
6 height in there is --

7 MR. HERNANDEZ: I think the first  
8 floor-to-floor height is 11, and the second  
9 floor-to-floor height is actually nine and a half or  
10 ten.

11 MR. STEFFENS: Because I think that's  
12 something that this Board should be aware of, that  
13 house fitting into the context of that neighborhood,  
14 and I'm sure you used every available square foot of  
15 FAF in that house.

16 MR. HERNANDEZ: Yes.

17 MR. STEFFENS: And that house has a garage  
18 on the side, with a roof deck --

19 MR. HERNANDEZ: Over it.

20 MR. STEFFENS: -- on the front, and a tower  
21 that might reach to --

22 MR. HERNANDEZ: Probably 34 or 32.

23 MR. STEFFENS: -- 34 feet. So I think  
24 there's a model that breaks all the rules that we're  
25 talking about. It would not fit within a lot of

1 Charlie's models, because it doesn't have a front  
2 setback that would say 40 percent of the front is at  
3 the lot line and the rest of it is pushed back. I  
4 know the garage is pushed back, maybe eight inches or  
5 something like that.

6 MR. HERNANDEZ: Just enough to get a bar  
7 relief reading there.

8 MR. STEFFENS: Exactly. So it would be good  
9 for the Board to drive down Anderson and take a look  
10 at that house.

11 MR. HERNANDEZ: Thank you.

12 CHAIRWOMAN MORENO: Thank you.

13 MR. STEFFENS: Thank you.

14 MS. MENENDEZ-DURAN: Daphne Gurri.

15 MS. GURRI: Hi. Good evening, Daphne  
16 Gurri, 2701 Ponce de Leon, and I'm here as an  
17 individual Board of Architects member and I'm also  
18 vice-president of the AIA. You already heard from my  
19 colleague, Mike Kerwin, who's the president, who made  
20 a presentation on behalf of the AIA, which has over  
21 535 members here in Miami.

22 I'm here, as I say, individually, to express  
23 my concern of the haste of this proposal being put  
24 together. We, as a board, have not had an  
25 opportunity to discuss this collectively. I am not

1 saying that I disagree with some of the things that  
2 are being proposed today. As a matter of fact,  
3 there's one or two that I think are excellent. But I  
4 think that collectively, we need to discuss this  
5 issue, because what we're talking about here today is  
6 massing and scale and fenestration and the issues  
7 that everybody here is concerned with, and the Board  
8 of Architects, that's the primary function of what we  
9 do.

10 So for us not to have an opportunity to  
11 discuss this collectively is really a disservice to  
12 the City and the citizens. We don't look at the  
13 issues of economics, which I agree are completely an  
14 extremely important matter, but as the Board of  
15 Architects, looking just at massing and aesthetics,  
16 et cetera, et cetera, it would be really a disservice  
17 to not have an opportunity to discuss this  
18 collectively.

19 I wanted to also make a few points that I  
20 think that, for the record, this Board should know.  
21 The Board of Architects, on average, looks at 85  
22 applications a week. We meet weekly. Usually, we're  
23 there for about four hours, so you can do the math.  
24 For 85 applications, we're looking at each one about  
25 20 minutes. That sounds like a lot, but it's really

1 not, especially when we're talking about brand new  
2 homes that are being -- you know, houses that are  
3 being demolished and brand new homes that are coming  
4 before us.

5           We're looking at new developments in the  
6 commercial districts, and one of the things that I  
7 think is excellent in the Zoning Code rewrite is the  
8 proposal of putting a City Architect. I think, if  
9 you want the Board of Architects to be able to  
10 address the issue of massing instead of  
11 overlegislating or micromanaging, as some the other  
12 architects here tonight have suggested, I think it's  
13 a good point. We can't try to overlegislate these  
14 issues of design. What we need is a little more  
15 time, quality time to look at the projects and to  
16 take some of the burden off of the Board of  
17 Architects, which looks at a lot of minor things that  
18 could be done by the City Architect's position.

19           Now, someone or some people here tonight  
20 have suggested that the City Architect could look at  
21 single-family homes, and I want to exercise an  
22 extreme word of caution here, because for a single  
23 person to look at a home, it's also a negative  
24 thing. The Board of Architects looks at each  
25 application, a minimum of two people, and then we

1 bring in a third person when there's an issue that  
2 has to be -- we need like a tie breaker.

3           So we do have in place, at this time,  
4 provisions for looking at things collectively. We  
5 also look, as a full board, when we're asked to do,  
6 for brand new projects and if there's an issue that,  
7 quote, unquote, let's say like a team of two or three  
8 is looking at, feels that everybody else has to give  
9 their input on, too.

10           So I do really feel that having the City  
11 Architect take a look at the minor things is a very,  
12 very positive thing, but not to put that much power  
13 in a single person's possession, because then you're  
14 going to have only one person's architectural  
15 opinion, versus now you have at least two or three,  
16 and in many projects, you have the entire board. So  
17 I think that that's something that really, really  
18 needs to be carefully worded in the new proposed  
19 Code, so that we don't accidentally, you know, give  
20 too much emphasis on one person's opinion.

21           I think that the Board of Architects also  
22 has made some recommendations in writing to the  
23 Planning Director, Eric, of which he has a copy of.  
24 Last week, also, we had a visit from David Brown, and  
25 some other members from the Planning Department, and

1 Margaret Pass, and we exchanged some comments at that  
2 time, but like I say, the most important thing here  
3 tonight for us is that we have not had time, an  
4 opportunity to discuss this collectively, and I think  
5 it's very important that we be given that  
6 opportunity.

7           The other thing I want to make mention is  
8 that it's very important that this Board recognizes  
9 that diversity is a good thing to have. It is --  
10 it's not the issue of having homes that are too large  
11 in North Gables. That's not really what happens.  
12 What happens is, you have neighborhoods that are in  
13 transition, and as a board, we look at the entire  
14 neighborhood. We ask for entire photographs,  
15 streetscapes. They bring us drawings. We understand  
16 what the neighborhood is looking like at this time,  
17 but we -- you also have to understand that  
18 neighborhoods go through a transition. Nothing is  
19 stagnant. And so when we look at something, as Jorge  
20 Hernandez was saying, you have to look a little  
21 beyond. It's not what's happening there in the  
22 immediate moment.

23           So I think all these issues are good  
24 proposals. Just let us have a little more time to  
25 discuss this as a board. Thank you.

1 CHAIRWOMAN MORENO: Thank you very much.

2 MR. STEFFENS: Daphne, I don't think the  
3 intention is to have the City Architect replacing or  
4 substituting for the Board of Architects. It was to  
5 have it serve similar to the purpose that Eric and  
6 his Staff serve, where they would review a project  
7 before it gets submitted to you, so you would have  
8 Staff recommendations that you can look at and take  
9 into account when you are reviewing the project,  
10 also.

11 MS. GURRI: Okay. My understanding is that  
12 the language doesn't really make that kind of a  
13 provision.

14 MR. STEFFENS: Well, that's my intention --

15 MS. GURRI: Yeah.

16 MR. STEFFENS: -- of when that position --

17 MS. GURRI: A lot of people have nice  
18 intentions.

19 MR. STEFFENS: When that position gets  
20 suggested to us in these documents --

21 MS. GURRI: Right.

22 MR. STEFFENS: -- that's how I would intend  
23 to write that section of the Code.

24 MS. GURRI: That would be great. The thing  
25 is that we have to measure what's written down on

1 paper, and at the end of the day, 10 years later, you  
2 know, people are not going to remember what was  
3 discussed in tonight's meeting. What they're going  
4 to see is what's in front of them, and it's not  
5 really very clear, and so I just want to make that  
6 point, and that the City Architect's position really  
7 can help to alleviate the board so that the board can  
8 have more quality time with these people who, some of  
9 these architects, they come to our board five or six  
10 times, and we do spend as much time as we can, but  
11 it's not -- it's not enough. We can -- we need to be  
12 relieved of the minor things, so that we can have  
13 more quality time.

14 MR. STEFFENS: It would also be good if,  
15 when a project like that came to the City Architect,  
16 if he looked at it and said, "I'm not going to even  
17 send this to the board. I'm not going to waste their  
18 time. Take it back, work on it and fix it, and then  
19 bring it back to me," and then he would review it and  
20 make his recommendations and then pass it on to you.

21 CHAIRWOMAN MORENO: Okay, some of the  
22 questions that have to do with the City Architect are  
23 up for our review tonight. Will you be staying for  
24 that?

25 MS. GURRI: I wasn't planning on it.

1 CHAIRWOMAN MORENO: I had said we were  
2 quitting at nine, so --

3 MS. GURRI: But if it's necessary, I will.

4 CHAIRWOMAN MORENO: Okay.

5 MS. GURRI: Thank you.

6 CHAIRWOMAN MORENO: It would be helpful.  
7 Thank you.

8 MS. GURRI: All right.

9 CHAIRWOMAN MORENO: Is there anyone else on  
10 this issue?

11 MS. MENENDEZ-DURAN: Ramon Pacheco.

12 CHAIRWOMAN MORENO: Excuse me, Jill, how  
13 many more do we need to -- do we have?

14 MS. MENENDEZ-DURAN: Two more speakers.

15 CHAIRWOMAN MORENO: Okay.

16 MR. PACHECO: My name is Ramon Pacheco, and  
17 I live at -- I have my offices at 4990 Southwest 72nd  
18 Avenue.

19 On behalf of Gables Estates, I am an  
20 architect on the board of Gables Estates, and on  
21 behalf of that board, we are asking you to consider  
22 an extension of this agreement. We need to get  
23 together and meet.

24 We also -- I want to also express my opinion  
25 in reference to certain things that you want to --

1 that this regulation is doing. I understand -- I  
2 don't think you can compare a 50-foot lot to a  
3 200-foot lot. The 50-foot lot should have their own  
4 requirements. The 200-foot lot should have their own  
5 requirements.

6           The setback, the side setback for Gables  
7 Estates, as Laura said, is 30 feet on the side, which  
8 makes the houses 60 feet apart. When you have it 60  
9 feet apart, it's not the same thing that when you  
10 have houses 10 feet apart. It's completely  
11 different, and another thing that is extremely  
12 important, 10 years ago, Gables Estates probably was  
13 costing -- the value was probably two million  
14 dollars. Today, that price is double. You cannot  
15 find an acre for less than four million.

16           On behalf of those clients of mine that paid  
17 four million dollars, do you think they want to  
18 reduce their house by 4,000 square feet? They are  
19 losing a lot, and I don't think that's very fair.  
20 It's a matter of economics.

21           And another thing that is not very fair is  
22 that you design a house related to your next door  
23 property that is a one-story home that is going to  
24 disappear, probably, in the next year or so. I think  
25 you need to have in consideration the historical

1 value that is already addressed by the City, which I  
2 find that it's very important, but you cannot have --  
3 you cannot have any value on a house that was built  
4 in the fifties, that doesn't have any architectural  
5 value, that you have to design in context to that  
6 house, that I'm telling you is going to disappear in  
7 less than probably 10 years. I think we need to see  
8 ahead, and we cannot sacrifice our design based on  
9 the next-door property that does not have any  
10 architectural value.

11 Another thing that I heard, that if this  
12 passed, you're going to enforce it right away. Maybe  
13 it's not true. When the other -- the Code that we're  
14 working under right now, that we have been working  
15 for the last 10 years, you had a grace period for  
16 those -- for that Code to be implemented. What is  
17 going to happen to all those architects that have  
18 contracted this work and they have been working on it  
19 for the last two or three months, and you say you're  
20 going to implement this right away? You mean, we  
21 have to start from the scratch? I think that you  
22 have to consider that. We should have a little grace  
23 period in implementing this Code, if you're going to  
24 pass it.

25 Basically, I agree with what Laura Russo had

1 to say, I agree with what Jorge had to say, and I  
2 would like that you defer this for further study.  
3 Thank you very much.

4 CHAIRWOMAN MORENO: Thank you very much.

5 MS. MENENDEZ-DURAN: Eberto Vitier.

6 MR. AVITIER: Good evening. My name is  
7 Eberto Vitier. I live at 6500 Riviera Drive. I'm  
8 here as a resident of Coral Gables.

9 I'm quite concerned about a couple of  
10 comments you made in reference to a moratorium or  
11 interim. In my life experience, I've never seen  
12 anything interim that works. Anything that interim,  
13 number one, has a cost, as a lawsuit to the City,  
14 because I just finished my home, and I'm definitely  
15 in violation, and I'm on the waterway. I have 140  
16 foot of waterfront, and the moment that a hurricane  
17 hits me, am I going to throw some of my family  
18 members out because I can no longer build that  
19 residence? No. I'll sue the City, and then we'll go  
20 to court. That's exactly what I will do.

21 If you have a moratorium, you're going to  
22 put Ramon Pacheco, Hernandez, and all the engineers,  
23 and you should put also your City, out of a job,  
24 because you have a material impact. I'm not going to  
25 repeat everything that everybody else has said,

1 because it's late and you're all tired.

2           So those two issues are of great concern,  
3 that even -- that you're even thinking of them, to be  
4 frank and honest with you. I find it like not  
5 necessary.

6           Also, I believe that Coral Gables was  
7 planned so many years ago by areas, to accommodate  
8 economic -- different levels of economics, for people  
9 that would like a better quality of life. And you  
10 have small lots, you have sometimes big homes in  
11 neighborhoods because people bought two lots, not  
12 necessarily because it was the site. People bought  
13 two lots, they had more money and they built a bigger  
14 home, and then what I believe the consultant  
15 recommended by areas, if you do find that there is a  
16 problem in Coral Gables, which I don't find it, okay,  
17 then I will agree it should be issued by areas.  
18 Let's look at it by areas. Let's try to understand  
19 the impact, I believe she said, of what transition  
20 that area is going through, and then we can address  
21 it that way.

22           We're talking about economics. Life is  
23 about economics. I see Coral Gables, Downtown Coral  
24 Gables, to me, my personally, it looks like a ghetto  
25 now, that we have so many tall buildings in Coral

1 Gables. We have lost the charm of Coral Gables in  
2 Downtown Coral Gables, Miracle Mile. It's just one  
3 building after the other, and it began many years  
4 ago, before this administration, but we're living  
5 with it. I don't know if you guys are doing anything  
6 about it, but I definitely would stop a little bit of  
7 the construction we have here.

8           The residences, they're not offensive. The  
9 values of your property are offensive, and if my  
10 value is going to decrease, I believe that I should  
11 stop paying the taxes that I pay. I think I pay like  
12 \$50,000 a year, taxes. I'm also the president of the  
13 property that owns the two -- the seven and a half  
14 acres in Gables Estates. I pay \$600,000 in taxes.  
15 So you know what? I should pay \$100,000, because  
16 you're going to decrease my value. Then you should  
17 fire half your employees, you know, and we would not  
18 receive any services in Coral Gables, and we'll  
19 become Miami, or The Roads or anything else.

20           Coral Gables was designed for people with  
21 high economic values for certain areas, medium  
22 economic values for others, but that's the way it was  
23 designed. People don't like it? Move out. You just  
24 can't accommodate everybody or people's perception of  
25 it.

1                   Last, because I'm not going to bore you,  
2                   the word monster. I am a monster? I didn't know I  
3                   belonged to the Addams Family, because I live in a  
4                   monster home, according to what you guys are talking  
5                   about, and I consider it extremely insulting that  
6                   they're calling me a monster. I look at myself in  
7                   the mirror, and I don't look like a monster. I think  
8                   I'm a gentleman. But you know, I think that with the  
9                   respect of you, you should come up with a better  
10                  term. Maybe you don't live in a monster home, but I  
11                  do, and I find it insulting.

12                  CHAIRWOMAN MORENO: We didn't make it up.  
13                  Somebody else did.

14                  MR. VITIER: I don't care who did it. I  
15                  find it insulting that even some of you repeat that  
16                  word. Insulting. It's -- I'm sitting here and the  
17                  first time I hear that, I go like -- they must be  
18                  kidding. Who am I going to sue? I've just been  
19                  called a monster. So I'm going to get an attorney  
20                  and sue somebody tonight, because I've been called a  
21                  monster. My childrens are -- whatever, the little  
22                  hands and the other guys, from the Addams Family.

23                  So good night, thank you very much, and I  
24                  think you've received so much testimony against this  
25                  that it's just -- you just have to table it.

1 Understand that Coral Gables has been here for  
2 hundreds of years. You're not going to solve this in  
3 one night. You just need to give it more thought.  
4 Thank you.

5 MS. MENENDEZ-DURAN: Pedro Bravo?

6 MR. BRAVO: Hi. Good evening. My name is  
7 Pedro Bravo. I live at 227 Velarde Avenue. I also  
8 have an office at 250 Catalonia Avenue.

9 Three quick things. I'm definitely against  
10 the motion. I hope that you reconsider it, for all  
11 the reasons stated with all these guys here.

12 Secondly, Coconut Grove is going through a  
13 similar thought process now, that they're going to be  
14 downscaling the size of what's allowable to be built,  
15 and they're actually rushing into these judgments,  
16 and as a matter of fact, it's going to the Commission  
17 a week from tomorrow to be a final vote on the new  
18 amendments on the setbacks and the height  
19 requirements and things like that, and quite frankly,  
20 a lot of the people in the area are unfamiliar with  
21 what's going on, and I think it's happening, the same  
22 thing, here in Coral Gables.

23 Those properties are going to be  
24 significantly devalued. They're going to take away  
25 the creativity of the architect to build anything

1 interesting in the neighborhood, and I hope it  
2 doesn't happen here in Coral Gables.

3           And then lastly, I've had the privilege of  
4 working with Mr. Jose Cue on that house, that monster  
5 home that was in the paper -- we were the designers,  
6 my father and I, of 757 Minorca, and we had the  
7 privilege of really working and spending a lot of  
8 time. I mean, a lot of times our clients are really  
9 pushing us and pressing us to hurry up, "Let's get  
10 in, let's get in, submit, I'm paying interest on the  
11 property, I closed on it," and we really spent a lot  
12 of time researching and looking around and driving  
13 around and going through books. He was very, very  
14 patient, giving us the time to really evolve the  
15 design of the house, and not to repeat what he said,  
16 but what was mentioned in the paper by the Mayor, you  
17 know, everything -- we worked closely with the City  
18 on lot coverages and FARs and heights and stuff like  
19 that, so everything is to Code. There are no  
20 variances. Everything was critically designed. We  
21 worked very closely with Joe King in all the computer  
22 drawings and computer graphics that were done to  
23 definitely make sure that everything that was there  
24 was in compliance.

25           So, thank you.

1 CHAIRWOMAN MORENO: Thank you.

2 MS. MENENDEZ-DURAN: That's it. No more  
3 speakers.

4 CHAIRWOMAN MORENO: Okay, let's take a  
5 break, before we continue the discussion, okay?

6 MR. RIEL: Do you want to close the public  
7 hearing?

8 CHAIRWOMAN MORENO: I'm sorry?

9 MR. RIEL: Do you want to close the public  
10 hearing?

11 CHAIRWOMAN MORENO: Thank you, Eric.

12 I'm closing the public portion of the  
13 hearing, and we will take at least a five-minute  
14 break, for those of us who need it, and I would ask  
15 that those of you who are interested in the issue,  
16 please come back.

17 (Thereupon, a recess was taken.)

18 CHAIRWOMAN MORENO: We're ready to start  
19 again. Okay, the first thing I would like to do is  
20 to announce that we're going to continue Agenda Item  
21 3 until our next meeting, which is April 13th. If  
22 there's anyone here that wanted to speak on that and  
23 cannot come on April 13th, I'll take their comments  
24 now so that they go in testimony, but we will address  
25 it fully at the April 13th meeting. Those are --

1 that is Agenda Item 3, which addressed the Zoning  
2 Code rewrite of two sections, Articles 3 and 6.

3 Okay, so --

4 MR. RIEL: Madam Chair, I do need a motion  
5 that continues that public hearing to that time and  
6 date.

7 CHAIRWOMAN MORENO: Do I have a motion to --

8 MR. STEFFENS: So moved.

9 MR. MAYVILLE: Second.

10 MR. AIZENSTAT: If I may, because I didn't  
11 hear the whole thing --

12 CHAIRWOMAN MORENO: I'm sorry.

13 MR. AIZENSTAT: We're continuing it till  
14 when?

15 CHAIRWOMAN MORENO: We're continuing it to  
16 April 13th.

17 MR. RIEL: Which is your regular meeting,  
18 which we do have a light agenda that evening.

19 MR. AIZENSTAT: Okay.

20 CHAIRWOMAN MORENO: And I've offered that  
21 anyone in the audience that cannot come on April  
22 13th, that would like to speak now, they're welcome  
23 to do so. If you are in that category, please raise  
24 your hand. If not, I'll take the roll call on  
25 continuing the item.

1 MS. MENENDEZ-DURAN: Eibi Aizenstat?

2 MR. AIZENSTAT: Yes.

3 MS. MENENDEZ-DURAN: Pat Keon?

4 MS. KEON: Yes.

5 MS. MENENDEZ-DURAN: Bill Mayville?

6 MR. MAYVILLE: Yes.

7 MS. MENENDEZ-DURAN: Michael Tein?

8 MR. TEIN: Yes.

9 MS. MENENDEZ-DURAN: Michael Steffens?

10 MR. STEFFENS: Yes.

11 MS. MENENDEZ-DURAN: Cristina Moreno?

12 CHAIRWOMAN MORENO: Yes.

13 Okay, then, I'd like to open for discussion  
14 the interim regulations on the size of single-family  
15 residences by the Board, after hearing all the  
16 testimony that we've heard tonight.

17 I guess I can start by saying that I've  
18 voiced my concern about these regulations that are  
19 being proposed because I feel that they may render a  
20 substantial number of homes nonconforming, posing  
21 problems for those residents, and I am concerned that  
22 the proposal does not really address the perceived  
23 issue.

24 I think that the issue of the over-large  
25 home in a neighborhood may be a transition issue, and

1 that neighborhood, because of economics, is  
2 eventually going to catch up with those larger homes.

3 But generally, my feeling is that the  
4 solution -- the interim regulations, while a good  
5 effort to address what the Commission views as a  
6 problem, may create more problems for us than it  
7 solves. At least that's my view, and in particular,  
8 it seems to me that it's not appropriate to adopt  
9 these interim regulations that so substantially  
10 reduce the size of homes without a study being done  
11 as to the effect it has on existing residences and on  
12 the effect that it has on the economic value of the  
13 property of the people affected who -- you know, one  
14 of the gentlemen here was concerned that his mortgage  
15 would be affected, because his house would no longer  
16 appraise at an amount that would support that  
17 mortgage. That certainly is a concern for  
18 individuals.

19 And with that, anybody else want to speak  
20 or --

21 MR. AIZENSTAT: Well, I, for one, feel that  
22 I did not -- I don't see a good enough input from the  
23 residents themselves. I have heard some attorneys  
24 speak, I've heard some architects speak, and I've  
25 heard some developers speak, but I have not really

1 heard enough citizens or residents speak about it.  
2 Now, I don't know if that's because, one, they don't  
3 care, or two, because they're not really aware of the  
4 issue yet. Since all this printed material came out,  
5 supposedly, today, it has not given people time to  
6 take a look as to how it would affect them. So, to  
7 me, that is a big concern.

8 CHAIRWOMAN MORENO: Anybody else? Yes.

9 MS. KEON: I would like to speak to it.

10 I'd like to thank you for putting this  
11 together, because every conversation needs a starting  
12 point, so at least you gave us a place to begin that  
13 discussion, but I don't think that it -- it doesn't  
14 address, I don't think, the issue that is at hand.  
15 So it isn't something that I would support, either.

16 And I do think that our community is  
17 transitioning. I think that you may see people  
18 buying up multiple lots, I think unifying parcels. I  
19 think you may see larger homes, I think, particularly  
20 in places you discussed, Old Cutler Bay. I think Old  
21 Cutler Bay, when it was first built, was not so  
22 different than maybe Key Biscayne, when there were  
23 smaller homes. It is a very, very desirable  
24 location. It's on the water and, you know, as the  
25 land becomes more valuable, bigger homes will be

1 built there.

2           So I think that it is an issue that we do  
3 need to address, is how our neighborhoods transition  
4 and how homes grow and how we retain the design  
5 elements or the aesthetics of neighborhoods as we  
6 transition to bigger homes. So I think that maybe  
7 what we're looking at are design issues and aesthetic  
8 issues that will need to be addressed, and I suppose  
9 that's maybe some of the direction that maybe we  
10 would give to those people looking at our Code, and  
11 Michael, as an architect, you know, you could help us  
12 look at and address, so that, you know, we don't  
13 become neighborhoods where things do look like  
14 they're kind of massed together and that as we  
15 transition and as, you know, the economics of our  
16 community continue to improve, that we maintain the  
17 aesthetics of our community, along with it.

18           And I really have some concerns that we  
19 didn't address this 5,000-foot lot at all, anyway,  
20 because I think maybe where you're seeing and the  
21 concerns are being raised the most are in the  
22 northern part of the Gables, where you have so many  
23 50-foot lots, and so I think that it becomes very  
24 apparent when there is a change, and it's an older  
25 neighborhood, the architectural style is pretty

1 similar, so when something new comes in there, it's  
2 very visible to us. So I think that, you know, not  
3 addressing that, that's a little bit of a concern to  
4 me. I think we really do need to look at that.

5 I also know that with the preservation  
6 ordinances we have, some of those areas that maybe  
7 defined the character of our City can be wrapped into  
8 those preservation ordinances and we can deal with  
9 them, maybe, in that way, to preserve that charm and  
10 that character, you know, as well as -- as long as  
11 our City transitions, and we certainly understand the  
12 need for elected officials to be responsive to their  
13 community, so we tell them that this is not the  
14 answer, but we'll keep working on it.

15 CHAIRWOMAN MORENO: Yeah. We had, I  
16 think -- to address your point, we had two citizens  
17 came in who spoke about concerns with over-large  
18 homes being built in their neighborhoods. We had the  
19 gentleman with the monster home over here, who spoke  
20 in favor of keeping his house the way it is, and  
21 we --

22 MR. STEFFENS: We had Andy, who's neither a  
23 lawyer nor a developer nor an architect, speak to us.

24 CHAIRWOMAN MORENO: He's a homeowner.

25 MR. STEFFENS: And he's a homeowner.

1                   CHAIRWOMAN MORENO: And Mr. Cue spoke,  
2     defending his house, and Michael very ably defended  
3     it, as well. So we have had some citizens.

4                   I truly think that when people realize the  
5     impact that this would have on their existing  
6     residences, we would have more. I'm sympathetic --  
7     I lived in North Gables, and I love the scale of that  
8     neighborhood and I'm sympathetic to the concept  
9     raised by the gentleman from Majorca, which was very  
10    near to where I lived, that you do want to keep some  
11    of that character that's a beautiful aesthetic of our  
12    City, but I don't think that -- without meaning to --  
13    without implying that Dennis's regulation is wrong,  
14    it seems to me that some of the -- some of the  
15    concerns that we need to address need more time to  
16    mature and more input from the architectural  
17    community that works in this area, working with  
18    Dennis to come up with something that addresses --  
19    and at least for me, because I'm not a visual person,  
20    I'm a word person, it would help me to know, this is  
21    what we're addressing, this is the kind of home that  
22    we're concerned about, and this is how this  
23    regulation would address that issue. I'd like to see  
24    some pictures that show me why this is what I'm  
25    trying to do, and I'd like anything that comes

1 forward to us to tell me how many people are going to  
2 be impacted negatively by it on a nonconforming  
3 basis.

4 I mean, I look at this, and I said to  
5 Michael, "I think every home in Cocoplum is going to  
6 become nonconforming," and to me, that is a -- that's  
7 a problem, and I certainly think that the Cocoplum  
8 community would be out here in force if they realized  
9 that.

10 So my suggestion or my -- I guess my  
11 recommendation, would be to defer this until Staff is  
12 given more time to look at what is really the problem  
13 and address it and see how it impacts the rest of our  
14 community, particularly addressing issues such as  
15 drops in value that affect not only the resale value  
16 of your home, but the ability for you to maintain the  
17 existing mortgage on your home.

18 Anyway, that's -- those are my thoughts.

19 MR. STEFFENS: I have a couple concerns.  
20 The first one is, at the higher end of this scale, we  
21 have a line here that divides the 20,000-square-foot  
22 lot from the 25,000-square-foot lot, or probably over  
23 15,000 square foot. I don't think there's anybody in  
24 the neighborhoods that contain those size of lots  
25 that are complaining about these, quote, monster

1 houses. I think I said it was probably north of  
2 Coral Way. Maybe it's north of Bird Road. But it's  
3 definitely not all of Coral Gables that is concerned  
4 about this type of possible development.

5           At the other end of the scale, we know that  
6 there are examples of houses that have been built  
7 within the existing Code that fit within the existing  
8 neighborhoods, that are not out of scale, they're not  
9 out of character, and you would never know that they  
10 hadn't been there for quite a long time or that they  
11 are maxing out the allowable FAF.

12           I think that we also could reduce this by  
13 three percent or six percent or eight percent or 10  
14 percent, on the smaller end of the scale, and still  
15 end up with horrible monster houses. I don't think  
16 that this chart addresses the problem. I think that  
17 this was a nice exercise. I think we heard a lot of  
18 interesting comments about this. I agree, I would  
19 like to have more public notice about this and have  
20 more input from more of the public. I think, when  
21 more people in the North Gables hear about this and  
22 are aware of what's going on, we'll probably get a  
23 lot more people in here and we might hear some other  
24 sides of the story.

25           But I also think that this is part of our

1 Zoning Code rewrite, and I don't know why we would  
2 need to take an action on this, rather than just keep  
3 this as part of our Zoning Code rewrite and address  
4 it when it comes up in the normal course of events of  
5 our rewrite.

6 CHAIRWOMAN MORENO: But I think one of the  
7 things we need to do is give Mr. Siemon some guidance  
8 as to which direction to go with this, with his  
9 recommendations.

10 And Mr. Siemon, one of the architects said  
11 that the measure by the neighborhood would be very  
12 difficult here in the Gables. I also think that it  
13 doesn't address the issue of, I guess, what I view as  
14 the neighborhood catching up to the economics. You  
15 know, if you now have a house that's out of scale  
16 because the rest of the houses are all one-story, but  
17 then the next house is also going to get built up,  
18 eventually you've going to have a catching up, and  
19 that out of scale won't be there, and I'm not sure  
20 that -- I thought your model was great when you first  
21 spoke about it, and then they started poking holes at  
22 it.

23 MR. STEFFENS: But I think Jorge had an  
24 excellent point about that, that the character of our  
25 City is made up by a very small amount of the actual

1 built structures. There's a lot of structures there  
2 that we probably don't want. We would like to have  
3 something nicer there, and they probably should be  
4 replaced over time, and are we going to handicap that  
5 replacement? And are we going to handicap people  
6 from keeping those other houses that create the  
7 character by not letting them expand and keep their  
8 families in those neighborhoods?

9 CHAIRWOMAN MORENO: Uh-huh.

10 Mr. Siemon?

11 MR. SIEMON: I would just have two  
12 observations. First, if every architect who designed  
13 buildings was a Raphael, you guys wouldn't have a  
14 job, and fortunately, that's not true. And so, when  
15 you design regulations, you try to identify the  
16 problems and you try to identify solutions. The  
17 point about the human element is a really important  
18 part, but the law requires that the exercise of that  
19 human judgment be guided by standards that fetter  
20 the discretion to ensure that similarly situated  
21 people are treated fairly and equally. So that's the  
22 balance.

23 There's some public policy issues here. I  
24 will say that during all of our work for the City of  
25 Coral Gables, there's been a real emphasis on

1 protecting and maintaining the character of these,  
2 particularly in the older part of the City, and I'm  
3 sure that what we have drafted so far really responds  
4 to that, and we haven't put in place the average FAR.  
5 Everybody complains about it, but it's pretty  
6 quick -- I mean, there are ways to collect that  
7 information, and it is relatively -- it's not -- you  
8 don't do it in tenths of square feet. You do it in  
9 character.

10 But the point is that it's -- that the  
11 regulations have to reflect the policy you want to  
12 achieve, and I hear some real dynamic here, because  
13 most of the conversation we've all had together has  
14 largely been focused on, frankly, preservation and  
15 conservation, as much -- more than evolution, and,  
16 you know, I --

17 MR. STEFFENS: Well, I think that if it is  
18 the character, if the North Gables is the character  
19 of Coral Gables, if that's what everybody thinks of  
20 when they think of Coral Gables, maybe it's a  
21 historic district. Maybe the mechanism to make sure  
22 that things don't happen in that neighborhood that  
23 aren't appropriate is to make a historic district.  
24 Then you have historic houses and you have  
25 contributing houses and you have houses that aren't

1 contributing, and it goes through two stages or  
2 multiple stages of review, and that mechanism isn't  
3 with us. That's with the residents going to the  
4 Historic Preservation Board and saying, "We want to  
5 protect our neighborhood."

6 CHAIRWOMAN MORENO: It seems to me, from  
7 everything I've heard here, that one of our problems  
8 is, we're trying to draft regulations on square  
9 footage that don't address the differences in  
10 character. I mean, the waterfront areas of the  
11 Gables, because they're so valuable, have  
12 traditionally had a substantial number of square feet  
13 put on them, and what perhaps works, you know, in the  
14 area not on the water doesn't work in those  
15 waterfront neighborhoods.

16 I'd like to see a regulation -- and I'm not  
17 really sure what I'm asking for, but not one that  
18 goes just strictly on square feet, because I think  
19 what works in Cocoplum doesn't work in my area of  
20 North Gables, and what -- you know, because I want to  
21 protect the North Gables area, I shouldn't be  
22 limiting Cutler Bay or, you know, Gables Estates or  
23 any of those areas that are developing in a different  
24 way.

25 So I'm not giving you too much guidance, but

1 I think that what we're looking for -- and  
2 truthfully, for me, it would be very helpful for  
3 somebody to say to me, "Go look at this house, and  
4 this is what we're talking about," because each of us  
5 has a different perspective. Michael loved the house  
6 that was in the paper that Mr. Cue built, you know,  
7 and that's part of the discussion that we have to  
8 have. Are we addressing a real problem, and how does  
9 what we're proposing solve that problem? Because the  
10 way I'm reading this, I don't think it's solving the  
11 main problem.

12 MS. KEON: Can I say, too, when we talk  
13 about the water, the Gables Estates, I think they  
14 were all platted -- I think it's a minimum of one  
15 acre zoning, I mean, so they can -- they can build  
16 very big homes, and then they've allowed for the  
17 setbacks and whatever else and it's still --  
18 aesthetically, it's very pleasing.

19 When we move to like Old Cutler Bay, where  
20 they're not -- they're not platted to one acre,  
21 they're -- Are they 100 foot or -- 100-foot frontage  
22 or something?

23 MR. MURAI: It's 200, 150 --

24 MS. KEON: It's like 100 or 150, I mean,  
25 they're much -- you know, they're smaller. So,

1 around the City, depending on how things are platted  
2 and the generation of those neighborhoods and  
3 whatever, they're all different. And I think that to  
4 maintain the aesthetics of this City as a whole,  
5 you're going to have to -- we will have to look at it  
6 by --

7 CHAIRWOMAN MORENO: By neighborhood.

8 MS. KEON: -- neighborhoods and by areas and  
9 things as to what is appropriate, because I think  
10 that it will change dramatically.

11 You know, like Riviera Drive, Granada  
12 Boulevard, you know, your large, you know, big  
13 thoroughfares and wide streets and whatever will hold  
14 different homes and different things to maintain the  
15 aesthetic value of the neighborhood than some of the  
16 smaller streets and whatever, so --

17 CHAIRWOMAN MORENO: There's also -- in the  
18 older Gables part, there's some houses that are  
19 sitting on 50-foot lots that I swear no architect  
20 designed.

21 MS. KEON: No.

22 CHAIRWOMAN MORENO: You know, there are  
23 houses that have no architectural features. Well, I  
24 want to give people an incentive to replace those  
25 homes --

1 MS. KEON: Yeah.

2 CHAIRWOMAN MORENO: -- with prettier homes,  
3 and if I tell them, you know, "You can't tear it down  
4 because you're not going to be able to build the same  
5 number of square feet," I'm defeating the purpose,  
6 and I mean, I remember -- there's houses in my  
7 neighborhood where the only thing you see is that  
8 garage.

9 MS. KEON: Yeah.

10 CHAIRWOMAN MORENO: I want to give those  
11 people an incentive to tear down that house and build  
12 up something beautiful, and if I say to them, you  
13 know, if you tear down the house, you can't build  
14 your square -- I'm not giving that incentive, so --

15 MR. SIEMON: Well, in the -- just to make  
16 it clear, what's in the draft of the rewrite is a  
17 much more -- it's a different adjustment to the FAR,  
18 and -- but it is not alone, and it is not a principal  
19 focus of ensuring or trying to have an orderly  
20 evolution, I guess, except that it's probably biased  
21 to be a little orderly and restraining evolution, the  
22 spirit in which it was drafted, because I think,  
23 candidly, that's been the spirit of the conversations  
24 from the public and from you all about -- at least in  
25 the older parts of the community -- the objective,

1 and certainly when we've gone on field trips with  
2 people and citizens and architects, et cetera,  
3 their -- the concerns and problems that are  
4 continually identified are things that aren't an  
5 evolution, they're a revolution. They depart.  
6 There's no organic connection between what's there  
7 and the structure that's being built.

8 CHAIRWOMAN MORENO: Eric, what gives rise to  
9 the Commission's concern? Is it people that have  
10 come to them and complained about it? In what  
11 context does it arise? Because it doesn't come  
12 before us, so it's hard for us to tell.

13 MR. RIEL: What was voiced at the March 8th  
14 City Commission meeting was that, I guess, a number  
15 of the Commissioners have received concerns and  
16 correspondence to the effect that they would like the  
17 issue of the larger homes to be addressed, and that's  
18 what was indicated to Staff, and they had questioned  
19 Staff, where was that in the process, and I indicated  
20 to them that it's part of the rewrite and it will be  
21 coming up on May 18th.

22 CHAIRWOMAN MORENO: I find it surprising  
23 that none of those people are here. If they found it  
24 of sufficient importance to raise it to the  
25 Commission, you know, they need to come here and they

1 need -- That's why I think Mr. Murai's point was,  
2 perhaps proper notice -- not proper notice, because I  
3 know legally, proper notice was given, but that it  
4 wasn't sufficiently known, because obviously those  
5 people who raised it to the Commissioners have an  
6 interest in this issue and should have been here,  
7 and frankly, we've only had two people speak against  
8 the -- in favor of these regulations, and everybody  
9 else was against it.

10 So, somehow, we didn't get that feedback in  
11 here, saying, "Yeah, this is a big problem and you've  
12 got to do something about it immediately," which is  
13 what I expected. I expected this room to be full of  
14 people, saying, "Hey, this is a huge problem and it  
15 has to be addressed, you know, urgently."

16 MR. RIEL: Well, as I indicated at the  
17 beginning of the meeting, whatever recommendation  
18 this Board goes forward, we will present that  
19 information to the Commission on April 5th.

20 CHAIRWOMAN MORENO: Okay.

21 MR. RIEL: And we'll have a verbatim  
22 transcript, as well as all the attachments and all  
23 the discussion, and if anyone wants a copy of the  
24 video, we'll also have that available, so --

25 CHAIRWOMAN MORENO: Do we have a motion on

1 this? Oh, I'm sorry, Bill.

2 MR. MAYVILLE: Yeah, I have, actually, two.  
3 The first one, I think will be what you're looking  
4 for, which my motion is to deny the interim  
5 provisions that are being proposed tonight. Then I  
6 want to do a follow-up motion after this.

7 MR. STEFFENS: I'll second that.

8 CHAIRWOMAN MORENO: Okay. Roll call?

9 MS. MENENDEZ-DURAN: Pat Keon?

10 MS. KEON: Yes.

11 MS. MENENDEZ-DURAN: Bill Mayville?

12 MR. MAYVILLE: Yes.

13 MS. MENENDEZ-DURAN: Michael Tein?

14 MR. TEIN: Yes.

15 MS. MENENDEZ-DURAN: Michael Steffens?

16 MR. STEFFENS: Yes.

17 MS. MENENDEZ-DURAN: Eibi Aizenstat?

18 MR. AIZENSTAT: Yes.

19 MS. MENENDEZ-DURAN: Cristina Moreno?

20 CHAIRWOMAN MORENO: Yes.

21 Now, Bill, your follow-up.

22 MR. MAYVILLE: You know, I'm a little angry  
23 tonight about the way that the Commission directed --  
24 I feel that Charlie and Eric and Dennis got caught in  
25 a cross-fire on this thing, where they basically, in

1 a week, had to take a very complicated issue and try  
2 to get their arms around this thing, and which  
3 certainly, from the testimony we heard tonight, was  
4 an unreasonable period of time in order to do it.

5 I don't think we've really defined the  
6 problem yet, and my first recommendation is that the  
7 three of them, or whether it be Eric or  
8 what-have-you, first define what this type of house  
9 looks like and what is so appalling about it to the  
10 Commission.

11 I think, once we get that defined, then we  
12 can go ahead and hold a hearing and we'll know what  
13 we're dealing with and what we're trying to solve,  
14 but I feel like right now we're in a bag, trying to  
15 punch our way out of it, and we don't have a clarity  
16 as to what we're trying to solve.

17 So my motion, second motion, would be to  
18 direct staff to obtain guidance from the Commission  
19 as to what is a monster house, with, as you suggested  
20 earlier, some pictures to pictorially describe it,  
21 and then set it as a hearing date, that we could go  
22 ahead and give them a reasonable period of time to  
23 prepare a proper staff report.

24 CHAIRWOMAN MORENO: And address a proposal  
25 or a regulation that addresses --

1 MR. MAYVILLE: That's right.

2 CHAIRWOMAN MORENO: -- the perceived  
3 problems.

4 MR. MAYVILLE: Right.

5 MR. AIZENSTAT: Should we have a specific  
6 date for that, not to put that date now, but have  
7 just that date set for that item?

8 CHAIRWOMAN MORENO: I would.

9 MR. MAYVILLE: I have no problem with that.

10 CHAIRWOMAN MORENO: Yeah, I agree with that.

11 MR. AIZENSTAT: That's fine.

12 MR. MAYVILLE: Is May good?

13 MR. RIEL: Well, the issue was going to be  
14 scheduled -- it was scheduled for May 18th, that  
15 Zoning Code hearing.

16 CHAIRWOMAN MORENO: Right, then let's say  
17 for May 18th, we'll --

18 Is that okay, Mr. Siemon?

19 MR. SIEMON: I mean, it just could be the  
20 simple parts. There's some additional research  
21 that's going to have to be done, to do this, and Eric  
22 is going to have to provide that research.

23 MR. RIEL: Well, it might not be May 18th.

24 MR. SIEMON: Or make provision for me to,  
25 because it's not included in my scope of

1 responsibilities. I'd be pleased to do it, and I  
2 think we could do it on a very cost-effective basis,  
3 but my partner would kill me if I said we'll do it  
4 for free.

5 MR. STEFFENS: Do you want to add that into  
6 your motion, Bill, our suggestion that --

7 MR. MAYVILLE: Yeah.

8 MR. SIEMON: I think it -- I mean, it can be  
9 done, but his staff has a lot of other obligations.  
10 We're working on this continuous schedule, and I just  
11 don't want to misrepresent, so we might have to pull  
12 it.

13 CHAIRWOMAN MORENO: Do you want to make a  
14 friendly amendment?

15 MR. STEFFENS: I'll wait to see if Bill  
16 does it.

17 MR. MAYVILLE: Yeah, that's fine. I just  
18 want to see if May 18th is still planned --

19 MR. RIEL: It's hard for me to say that,  
20 because I don't know what Mr. Siemon is talking  
21 about. I can't, obviously, react to something in  
22 terms of what additional work we're going to need to  
23 do.

24 MR. MAYVILLE: How about if we just say  
25 within 90 days?

1 MR. RIEL: Yeah, I mean that's -- I think  
2 that's --

3 MR. MAYVILLE: Is that realistic?

4 MR. RIEL: -- accomplishable.

5 MR. SIEMON: We'll just pull that section  
6 out.

7 MR. RIEL: Yes. I just --

8 MR. STEFFENS: I'll second that motion.

9 MR. AIZENSTAT: Could you just --

10 MR. MAYVILLE: Yeah. Just basically, within  
11 90 days, Staff will consult with the Commission to  
12 define what a monster house -- and provide pictorial  
13 illustrations of what it looks like, and come in with  
14 regulations to address the issue.

15 CHAIRWOMAN MORENO: Mr. Guilford has a  
16 comment on that.

17 MR. GUILFORD: I just have one comment, and  
18 it's real a procedural comment, based on the motion  
19 you made tonight, it is going to the City Commission  
20 with a negative recommendation, so what you want to  
21 do is irrelevant as to these interim guidelines. The  
22 only way to bring it back before you is actually to  
23 change your motion to a deferral and let it come back  
24 to you.

25 CHAIRWOMAN MORENO: No, what we want it to

1 do is to come back as part of the Zoning Code rewrite  
2 recommendations --

3 MR. GUILFORD: Okay.

4 CHAIRWOMAN MORENO: -- when we address that  
5 issue.

6 MR. GUILFORD: But you do understand that  
7 you are now moving forward to the Commission with a  
8 negative recommendation --

9 CHAIRWOMAN MORENO: Yes.

10 MR. GUILFORD: -- even though with your  
11 comments, they can actually overrule your  
12 recommendation that you've made tonight.

13 MR. STEFFENS: Right.

14 CHAIRWOMAN MORENO: And they can overrule us  
15 if we defer it, as well.

16 MR. GUILFORD: You can overrule a deferral.

17 CHAIRWOMAN MORENO: Thank you.

18 Okay. So, just so we're clear, our  
19 recommendation, what we're taking the vote on, is on  
20 the regular Zoning Code rewrite.

21 MR. MAYVILLE: That's correct.

22 CHAIRWOMAN MORENO: Okay. Can you call the  
23 roll?

24 MS. MENENDEZ-DURAN: Bill Mayville?

25 MR. MAYVILLE: Yes.

1 MS. MENENDEZ-DURAN: Michael Tein?

2 MR. TEIN: Yes.

3 MS. MENENDEZ-DURAN: Michael Steffens?

4 MR. STEFFENS: Yes.

5 MS. MENENDEZ-DURAN: Eibi Aizenstat?

6 MR. AIZENSTAT: Yes.

7 MS. MENENDEZ-DURAN: Pat Keon?

8 MS. KEON: Yes.

9 MS. MENENDEZ-DURAN: Cristina Moreno?

10 CHAIRWOMAN MORENO: Yes.

11 MR. SIEMON: Bill, on behalf of Eric, I

12 thank you.

13 MR. AIZENSTAT: Do we want to take a look

14 at the minutes, which we did not have a quorum --

15 CHAIRWOMAN MORENO: Yes.

16 MR. AIZENSTAT: -- to approve?

17 CHAIRWOMAN MORENO: Yes. The next item is

18 to approve the minutes of the -- thank you very

19 much -- of January 19th and February 23rd. Do I have

20 a motion to approve those minutes?

21 MR. TEIN: I have to abstain from the 19th.

22 MR. AIZENSTAT: Yes. He has to abstain,

23 because he was not here. I will go ahead and make a

24 motion.

25 MR. MAYVILLE: Second.

1 CHAIRWOMAN MORENO: Okay. Can we --

2 MS. MENENDEZ-DURAN: Who made the motion,  
3 again?

4 MR. STEFFENS: Well, there's only --

5 CHAIRWOMAN MORENO: Mr. Aizenstat.

6 MR. MAYVILLE: I seconded.

7 MR. STEFFENS: Can we approve it? There's  
8 only three people here who were at that meeting.

9 CHAIRWOMAN MORENO: I think we're going to  
10 have to do it like that --

11 MR. AIZENSTAT: How are we going to get the  
12 other people?

13 CHAIRWOMAN MORENO: -- because the other  
14 people are not --

15 MS. KEON: They're not on your Board.

16 MR. AIZENSTAT: Or do we leave this in limbo  
17 and never approve it?

18 MR. STEFFENS: Well, at a meeting with  
19 Tom -- because --

20 CHAIRWOMAN MORENO: Mr. Siemon, may I ask  
21 you a question before you leave? We have minutes to  
22 approve --

23 MR. SIEMON: Yes.

24 CHAIRWOMAN MORENO: -- at which -- for  
25 which we do not have enough Board Members who were on

1 the Board at the time the minutes were held. What's  
2 the proper procedure in that case?

3 MR. STEFFENS: We could have enough, but we  
4 don't have --

5 MR. RIEL: Let me ask you a question. Is it  
6 because we have two Board Members that resigned, or  
7 is --

8 MR. AIZENSTAT: Yes.

9 MR. RIEL: Okay, well, then --

10 MR. STEFFENS: No, if Tom Korge was here,  
11 we'd have four and we could, but --

12 MR. SIEMON: It's my recollection that the  
13 Board has the authority to approve the minutes  
14 regardless of whether or not the participant attended  
15 the meeting. It is a general practice, not -- if you  
16 don't have at least a quorum of the persons who  
17 participated here, they usually get deferred as a  
18 matter of practice, but I don't think it's a legal  
19 requirement.

20 MR. AIZENSTAT: Should -- just out of  
21 curiosity, should we defer that until we speak to the  
22 City Attorney for her opinion on it?

23 CHAIRWOMAN MORENO: Let's defer it, because  
24 I think Michael's point is that Tom Korge would make  
25 the fourth, so we don't have to do it without

1 thinking about it.

2 MR. SIEMON: And there's no response -- you  
3 don't need to move the minutes --

4 CHAIRWOMAN MORENO: Okay.

5 MR. SIEMON: -- at any particular time.

6 CHAIRWOMAN MORENO: Okay, thank you very  
7 much.

8 MR. SIEMON: All right.

9 CHAIRWOMAN MORENO: Now you can go home.

10 MS. KEON: You know, Eric, in looking at  
11 examples of monster homes or whatever, could we maybe  
12 have someone also present examples of well designed  
13 homes that --

14 CHAIRWOMAN MORENO: That max out the FAR.

15 MS. KEON: That max out, but that because of  
16 their design, they are not maybe aesthetically  
17 deemed as being noted or offensive or whatever.

18 MR. RIEL: Let me think about that issue a  
19 little bit more. My concern is, I don't want to go  
20 out and photograph a home --

21 MS. KEON: No.

22 MR. RIEL: -- which I interpret to be a  
23 monster home, and then it puts that --

24 MR. AIZENSTAT: Image.

25 MR. RIEL: -- that photograph --

1 MS. KEON: I don't even care if that  
2 picture -- but I don't even care if it's in the -- I  
3 mean, it may be --

4 MR. RIEL: I have a real concern about doing  
5 that.

6 MS. KEON: Well, maybe it's not in the  
7 Gables. I mean, maybe you can go to a place like  
8 Morningside or -- I mean, there must be examples of,  
9 you know, homes that are --

10 MR. RIEL: I know the City Commission has  
11 identified certain areas.

12 MS. KEON: Right.

13 MR. RIEL: I can do that.

14 MS. KEON: Right.

15 MR. RIEL: I think I'd feel much better  
16 doing that, rather than going out and photographing  
17 actual residences which --

18 MS. KEON: No. Yeah, but --

19 MR. STEFFENS: I think the opposite is true,  
20 though, Eric. I think you can photograph homes that  
21 do max out the FAR that are good examples, that fit  
22 within the neighborhood.

23 MS. KEON: Yeah, that's what I'm asking for,  
24 is a more, you know --

25 MR. RIEL: Let me think about how to portray

1 that --

2 MS. KEON: Yeah.

3 MR. RIEL: -- in the best way, to get --

4 MS. KEON: Okay. I mean, even if you go  
5 to -- it's not the Gables, even if you go to a  
6 different neighborhood and do it.

7 MR. RIEL: I would probably feel more  
8 comfortable going to another locality and doing  
9 that --

10 MS. KEON: That's okay. I mean, because it  
11 shows --

12 MR. RIEL: And I'm sure Mr. Siemon has --

13 MS. KEON: Yeah.

14 MR. RIEL: -- and I also have --

15 MS. KEON: Right --

16 MR. RIEL: -- examples of it for you.

17 MS. KEON: -- and you may have examples of  
18 that in other cities or something, but just to show  
19 that it's --

20 MR. RIEL: Okay.

21 CHAIRWOMAN MORENO: Okay, and then, I guess  
22 our last agenda item is -- I lost my agenda here.

23 MR. RIEL: Nothing else.

24 CHAIRWOMAN MORENO: The --

25 MR. RIEL: That's it.

1 CHAIRWOMAN MORENO: That's it?

2 MR. RIEL: That's it.

3 MS. KEON: That's it.

4 CHAIRWOMAN MORENO: I thought we had the  
5 EAR.

6 MR. RIEL: No, that's the next meeting.

7 CHAIRWOMAN MORENO: Okay. Then the meeting  
8 is adjourned, gentlemen.

9 MR. AIZENSTAT: Thank you.

10 MR. TEIN: Thank you.

11 CHAIRWOMAN MORENO: And I'm only 40 minutes  
12 late from my goal.

13 (Thereupon, the hearing was adjourned at  
14 9:40 p.m.)

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CERTIFICATE

STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

I, JOAN L. BAILEY, Registered Diplomate Reporter, and a Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

I, JOAN L. BAILEY, a Notary Public in and for the State of Florida at large, do hereby that all witnesses were duly sworn by me.

DATED this 23rd day of March, 2005.

JOAN L. BAILEY, RDR

Notary Commission Number DD 190412.  
My current notary commission expires 6/14/07.

