

# Zoning Code Rewrite (Part 3)

## Public Comments - Verbatim (Updated 06 02 05 thru 08 18 05)

	Date	Name & Address	Email Address	Verbatim Comments
1.	08 18 05	Roberta Neway 1236 South Alhambra Circle Coral Gables, FL 33146	robertajn@worldnet.att.net	<p>Dear Members of the Planning and Zoning Board:</p> <p>I attended the portion of the public hearing held on August 10, 2005, pertaining to Zoning Districts (residential), and I am herewith submitting my comments and concerns. I am commenting on the portion of the code that concerns the majority of the city as I feel the area east of Old Cutler has a distinctly different character and, therefore, its own distinct code. If the majority of neighborhoods in Coral Gables are truly striving to be walkable, active communities, the trend to build huge houses that are out of proportion with and dwarf the original character of our neighborhoods must be stopped or, at the very least, mitigated. I applaud the work that has been done so far, and while I realize the proposed plan is, no doubt, not perfect, I fail to see how anyone who truly cares about his or her neighborhood as a whole can be 'hurt' by them. A bit more floor space is not worth a neighborhood. At last week's meeting, it seemed the majority of the people who spoke against the subject changes had substantial monetary interests in either building homes or expanding them. I trust the city will stand with quality (neighborhoods that are in harmony and have stable property values) rather than quantity ('get rich quick' development that ignores its environment and panders to the bigger is better fad, a fad that is, I think and hope, already waning).</p> <p>Having said this, I am concerned with two issues that were raised at the August 10 meeting. First, there is no provision in the revised code concerning lot assembly; does this mean that anyone with the money to buy two adjacent properties can tear down the existing homes and build a house that destroys the character of the neighborhood while staying within code. I sincerely hope not! Second, it was proposed that two 'codes' are not enough and that the city needs to be broken down further. I respectfully disagree. The basic flavor of the city west of Old Culter is walkable - there is a welcoming feeling to most of the streets; the area east of Old Culter is also walkable - people walk their dogs and probably walk for exercise, but it is not the same - there's a privacy which the residents obviously wanted and valued when they bought; it is what these areas were developed for. Granted there are exceptions in each of the two sections, but for the most part the divison works as it is. To set different regulations within the 'old' area of the city (everything west of Old Culter) would leave some neighborhoods vulnerable and defenseless against intrusion and possibly even encourage a run on mega-buildings as other areas in the city would have stricter code. Please do not 'sell out' any of our walkable, active neighborhoods.</p> <p>Thank you for your consideration. Respectfully, Roberta Neway 1236 South Alhambra Circle Coral Gables, FL 33146</p>

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2.	08 17 05	Daniel Fryer & Mamta Chaudhry-Fryer	danielfryer@hotmail.com	<p>Dear Mayor Slesnick, Vice Mayor Anderson, Commissioner Cabrera, Commissioner Kerdyk, Commissioner Withers, Members of the Planning and Zoning Board, and City Staff:</p> <p>Single-family regulations in the zoning code will significantly affect our quality-of-life for years to come. This long and detailed letter reflects our belief that this issue deserves both your time and your attention. No one wishes Coral Gables to legislate in haste only to repent at leisure.</p> <p>At the August 10th public hearing on this issue, Planning and Zoning Board member Mike Tein said, "Beauty is in the eye of the beholder." We agree. Beauty is subjective. But size, height, volume, distance, and congruity with existing homes are not.</p> <p>In all our letters and presentations, the pictures we use are not illustrations of ugly architecture—which is a matter of individual opinion—but of oversized and incompatible houses in their neighborhood context.</p> <p><b>Defining the problem</b></p> <p>Mr. Tein also said the problem is "difficult to define." From the perspective of the residents, the problem is clearly defined:</p> <p><u>Large homes on large lots, in keeping with the neighborhood, no problem. Large homes on small lots, out of scale with the neighborhood, big problem.</u></p> <p>Tom Korge, Chair of the Planning and Zoning Board, perceptively summed up the difference between the former and the latter when he distinguished between "mansions" and "MacMansions."</p>  <p><i>This fairly new house (left) is in keeping with the size and scale of homes in its neighborhood. Generous setbacks keep it from impinging on its neighbors</i></p> <p><i>This new house (below), smack up by its neighbor, looms over the smaller homes characteristic of the neighborhood</i></p>

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			 <p><b>Design issue?</b></p> <p>Framing it as merely a “design issue,” as Mr. Tein and others have done, pits architects against residents. Yes, some architects are dismissive of residents’ concerns and deny that there is a problem; and some residents blame the Board of Architects for the problems that have occurred on their watch. This is contrary to the spirit in which we need to work together to preserve the fabric of our neighborhoods, under assault by development that is out of scale and character.</p> <p>Design is certainly an important element, but it is not the only one. We have talked to several architects--both on the Board of Architects, the Planning and Zoning Board, and others—to discuss our concerns. Many have said that we need a multi-pronged approach that incorporates contextual design, historic preservation, and empowering the Board of Architects. At Wednesday’s public hearing, architect Ignacio Zabaleta told us something we found striking and worth sharing with you: <u>when it comes to unique cities like ours, architects must build “respectfully and responsibly.”</u></p> <p><b>Neighborhood specific regulations</b></p> <p>At every single public hearing on this matter, residents and board members and commissioners have emphasized that since Coral Gables has a wealth of distinctive neighborhoods, the solution to the problem needs to be neighborhood specific. Not only is North Gables very different from, say Gables Estates, but even within neighborhoods there is considerable variation. In our neighborhood, for instance, Majorca and surrounding streets (Madeira, Navarre, Minorca,</p>

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				<p>Alcazar) are very different from North Greenway, Alhambra and Granada in terms of the size of lots and houses.</p> <p>The proposal presented on August 10<sup>th</sup> works with two very broad categories—SF1 (north of Sunset) and SF2 (South of Sunset). Such a broad- brush designation does not adequately delineate neighborhoods. Worse, this blanket approach of cutting square footage from houses on lots over 15,000 sq. ft. doesn't solve our problems in SF1, but creates a whole new set of problems for those in SF2.</p> <p><b>Field trip</b></p> <p>We invite commissioners, board members, city staff and consultant to gather at our house so that we can take you on a tour of our neighborhood. Within a few block radius, we can show you exactly what the problem is and how widespread it is. This small area is a microcosm of what is taking place on practically every residential street in the Gables. If you are interested, please contact us to set up a date and time that suits all of you.</p> <p><b>Modeling</b></p> <p>Are the proposed measures effective? Without models, it's impossible to tell. Mr. Riel assured us at our meeting that all the proposed measures would be modeled. With something as permanent as houses, it's important to see what we're letting ourselves in for before it's too late.</p> <p>That is one of the big flaws with the interim design measures currently in place. The Board of Architects and other architects endorsed these measures. When we asked several architects point-blank, "Do these work? Will they solve the problem of oversized homes?" The answer was, "We don't know. We'll find out when the plans start coming in."</p> <p><b>Language</b></p> <p>The proposal is, in a word, baffling. Not just to us, but to architects, city planners and lawyers, who were all asking for clarification. The original impetus for re-writing the code was to make it clearer, simpler, better organized. We pride ourselves on transparent government in Coral Gables; one measure of transparency is how clearly citizens understand the rules by which we are expected to live and work here.</p>

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				<p><b>Meeting with consultant</b></p> <p>At the Planning and Zoning study session on June 29th, the consultant made a presentation but the public was not allowed to comment. After the presentation, we asked for a meeting with the consultant, Planning Director Eric Riel and Assistant City Manager Dona Lubin. When we showed up for the meeting, Mr. Siemon was not present. Mr. Riel then promised to include us when he next met with Mr. Siemon to go over the recommendations. That never happened.</p> <p>We would have preferred to provide input and clarify matters before the fact, but we must now respond to the proposal as it was presented on August 10<sup>th</sup>. Since the consultant gave a cursory presentation and left without taking questions from the public, we are laying out our concerns, questions, comments and requests for clarification point by point.</p> <p><b>Point-by-point questions</b></p> <p>(To make it easier for you to refer to Article 4, we have included it as a second attachment with this letter.)</p> <p><i>Accessory uses [page 1, line 19]</i> -- what are these? Define. Having to skip back and forth between various articles of the code does not make for organization or simplicity.</p> <p><i>Development Review Official (page 1, line 27)</i> -- who is this? A lot of decision-making power is vested in this one person. What are the qualifications for the position? To whom does the person report? Is the position accountable to elected officials or to city staff?</p> <p><i>C (1) [page 1, line 25]</i> -- Does “exceeding sixteen (16) feet in height” mean two stories? Mr. Siemon indicated this at the P &amp; Z Board meeting, but this is not defined in the proposed language. Since there is nothing to regulate volume, this could just be a very high one-story home.</p> <p><i>C (1) (a) [page 1, line 30]</i> -- “compatible with existing dwellings” is so vague, it could be interpreted to allow additional massive houses on streets where, within the last two years, houses have been bulldozed and replaced with those that are out of character with the existing neighborhood (e.g. the 700 block of Madeira Ave). So which one of the existing dwellings in the neighborhood will the proposed new house need to be compatible with:</p>

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Date	Name & Address	Email Address	Verbatim Comments
			<p data-bbox="871 261 1150 289">This brand new house?</p>  <p data-bbox="871 813 1136 841">Or this classic house?</p> 

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			<p><i>C (1) (b) [page 1, line 34]</i> -- the proposed new house needs to be compatible not just with the buildings in front, but also those in the rear.</p> <p><i>C (1) (b) (i) [page 1, line 41]</i> -- why an additional 10 percent front setback? There has been no discussion about a need for deeper front setbacks, which in fact could further negatively impact the side and rear neighbors by pushing the house out and back. Commissioner Withers indicated that he would like to see more front landscaping, but a deeper setback does not guarantee that, and more landscaping up front can be accomplished in other ways.</p> <p><i>C (1) (b) (iv) [page 2, line 3]</i> -- why a <u>requirement</u> rather than an option for open porches or porte-cocheres on the front facade? Many traditional homes in Coral Gables do not have this and yet fit harmoniously in their context (see picture below).</p> <div data-bbox="871 597 1743 1130" data-label="Image"> </div> <ul style="list-style-type: none"> <li><i>C (1) (b) (vi) [page 2, line 14]</i> -- what does “disproportionate” mean in this context? Who decides? Is it subjective, or will there be objective criteria? Since there is no similar requirement for depth, does this mean that a narrow deep house will meet code, whereas a slightly wider house will not? Many traditional houses, like the one on the next page, are wider than they are deep.</li> </ul>

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			 <p> <i>C (2) (c) [page 2, line 26]</i> -- same as above for two-story homes.  <i>D (1) (b) [page 2, line 36 through page 3, line 29]</i> -- what does all of this mean? What is the intent of this thoroughly confusing section? Lot splitting and lot aggregation have been brought up as important concerns, but how does this address them?  <i>D (4) (b) [page 3, line 44]</i> -- for equitable distribution on either side, the minimum side setbacks should increase proportionally with the lot size. For example, a 75' wide lot should have a minimum side setback of 7.5', and a 100' wide lot should have a minimum side setback of 10'. As we have repeatedly pointed out, Coral Gables has the smallest minimum side setbacks of several other municipalities that we surveyed.  <i>D (5) [page 4, line 2]</i> -- "Permitted encroachments." The preponderance of public input from residents has been about <u>increasing</u> setbacks to maintain their light and privacy. The encroachments into the setbacks either effectively <u>decrease</u> the side setback from the 5-foot minimum to 2 feet, or maintain the status quo by giving a 10-foot rear setback with one hand, then taking it away by allowing detached garages to be built within 5 feet of the property line.  <i>D (5) (b) (ii) [page 4, line 14]</i> -- the side setback should be a minimum of five (5) feet, and the encroachment of porte-cocheres (or anything else) to two (2) feet should not be allowed.  <i>D (5) (c) (i) [page 4, line 19]</i> -- Encroachment of detached garage in rear setback effectively returns the rear setback from 10 feet to 5 feet, because there is no limit to the size of the detached garage, only the stipulation that it have no more than 4 parking spaces. A large four-car garage could extend the entire width of the property.         </p>

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			<p><i>D (6)(c) [page 4, line 30]</i> -- this is poorly defined and short-sighted. It does not state how large the garage can be, nor how high, it just says in excess of the coverage permitted in subsections a. and b. Why should coverage be allowed above 45% (35% for principal building + 10% for accessory buildings) with no limits, simply to encourage a design feature? As written, you could have 100% lot coverage, since landscaping has yet to be discussed. Even if landscaping is 40%, as it is in the interim regulations, <u>that is a possible 60% lot coverage, an increase of 33%!</u> This is a loophole large enough to drive a truck through.</p> <p><i>D (7) (b) [page 4, line 39]</i> -- this actually allows a larger Floor Area Ratio on lots between 10,000 and 15,000 sq. ft. than the code currently allows. Why? It is illogical to <u>increase FAR</u> when the problem is oversized homes.</p> <p><i>D (8) [page 4, line 45]</i> -- how will the height of 27 feet be measured? This needs to be defined. The total maximum height, regardless of roof type, should be 27 feet. It's fine to allow parapets on flat roofs, but the total roof height, including parapet, should still be 27 feet. As it is written, the proposal allows an additional 4 feet of parapet, which takes the roof back up to 31 feet. Traditional houses in Coral Gables (including those with flat roofs and parapets) are no more than 22 to 24 feet in height.</p> <div style="text-align: center;">  </div>

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				<p><i>D (9) (a) [page 4, line 50] -- garage sizes should be proportional to the size of the lot. (D)(6)(c) allows detached garages with no size limit and doesn't count them in lot coverage; thus, a small lot could have a four-car garage with an accessory dwelling guesthouse on top that dwarfs the principal building.</i></p> <p><b>Glaring loophole</b></p> <p>Another loophole questioned by Mayor Slesnick and others which is not addressed anywhere in the proposal is that interior courtyards, covered breezeways, and many other types of structures simply do not count in the FAR. It is unclear whether they even count towards lot coverage. While they may be phantoms as far as computation, they are very solid in terms of the bulk of the house.</p> <p>This is doubly true of detached garages. Under the current code, they do not count towards the FAR. Under the proposed regulations, they and the attached porte-cochere won't even count in lot coverage. They may thus be "invisible" on the drawing board, but they are very visible on the ground.</p> <p><b>Variances</b></p> <p>In the past, some people have used this as a back-door dodge. Variances should be permitted only in cases of narrowly defined hardship.</p> <p>Why does the Board of Architects give preliminary approval to plans that would <u>require</u> variances in order to be built? The proof of hardship should surely be a pre-condition.</p> <p><b>Landscaping</b></p> <p>The proposal does not mention landscaping as it applies to single-family home. Will this be part of a larger landscaping discussion? Will the requirements still be 40% as they are under the interim measures? Will that apply even to the porte-cochere/garage combinations, which seem to be getting a free ride on both FAR and ground coverage?</p> <p><b>Next Step?</b></p> <p>We are not clear what the next step is in the process. Will there be a public hearing to discuss the revised version of this proposal when it is presented to the Planning and Zoning Board?</p>

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				<p><b>Purpose statement</b></p> <p>We end with what Article Four begins with: the purpose statement. This is potentially the most important part of the entire document, because it defines the intent of the code, and everything else follows from that intent.</p> <p>Coral Gables:</p> <p>The purpose of the SF-1 District is to accommodate low density, single-family detached dwelling units with adequate setbacks and open space to maintain and protect the diverse residential environment and to accommodate revitalization, expansion and infill development without adversely affecting the community character of “old “ Coral Gables.</p> <p>Miami Beach:</p> <p>. . . single-family residential districts are designed to protect, and preserve the identity, image, environmental quality, privacy, attractive pedestrian streetscapes, and human scale and the character of the single-family neighborhoods and to encourage and promote new construction that is compatible with the established neighborhood context. In order to safeguard the purpose and goals of the single-family districts mandatory review criteria are hereby created to carry out the provisions of these land development regulations.</p> <p>Miami Shores:</p> <p>To protect the distinctive character of Miami Shores Village . . .  The sense of stewardship and the community pride that have motivated the property owners and residents of the village in their improvement and maintenance of property in the village . . .  To assure that future development in the village will be in conformity with the foregoing character, with respect to type, intensity and the design and appearance of buildings . . .  To protect property values and the enjoyment of property rights by minimizing and reducing conflicts among various land uses through the application of regulations designed to assure harmonious relationships among land uses . . .  Strictly limiting the intensity and extent of permitted uses the intensification and expansion of which would detract from the predominantly one-family residential character of the village, impair property values, or disturb the sense of security of community character that is an inseparable part of the enjoyment of the ownership of property.</p>

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				<p>Compare the vision and the resonance of the last sentence above--especially <i>the sense of security of community character</i>--with the purpose statement offered to us. It is generic and privileges new development; preserving our neighborhoods is an afterthought. It is unworthy of Coral Gables.</p> <p>Our city is unique, not only in South Florida, but in the country, for its historic and architectural treasures, its leafy canopy, its well-defined and livable neighborhoods. Our residential areas provide an oasis of charm and tranquility in the midst of an increasingly built-up and frenetic metropolitan area. By preserving the community character of the Gables, the Zoning Code will ensure our property values are protected, as is our quality of life.</p> <p>The purpose statement should be a luminous reflection of the value our city places on its character and on its citizens.</p> <p>Do the citizens of Coral Gables deserve any less? Sincerely, Daniel Fryer Mamta Chaudhry-Fryer</p>
3.	08 17 05	Maria C. Cruz 1447 Miller Road Coral Gables, FL 33146	thebeachcruzy@aol.com	<p>Thank you all for your prompt attention to my concerns.</p> <p>Yes, there has been a lot of talk about the City's zoning code re-write. The only formal communication receive by the residents (to the best of my knowledge based on the correspondence I've received) came in the form of a letter from the City sometime in July informing about a meeting in mid-August. This letter was very general and did not specifically address the University of Miami District changes; this, combined with the fact that July is a holiday month, probably did not receive a lot of critical attention from residents, who are in majority laypersons.</p> <p>I only came aware of this issue when I saw the signs posted in front of the fraternities. I went to the City to find out what was going on. On one hand, there was a zoning code change proposed for the fraternities which was the subject of the signs and the subject of the August 10 hearing. In researching further I learned from the City documents that the Zoning Re-write included a proposal that would: 1) get rid of UMCAD and replace it with the University of Miami District, 2) enlarge the boundaries to include up to Red Road on the west, Miller on the north, and Granada on the east. This went before a public planning hearing in mid-July from what I understand. Is this correct? I did not receive any correspondence about this new University change nor about the July meeting. The concerns I am trying to clarify about this change are:</p>

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				<p>1) the change from UMCAD to University of Miami District will change the process by which the University needs city approval to make changes (and goes from changes above 10% to changes above 25%). This seems to favor the University and would provide little room for residents to have input into future changes by the University to their Master Plan. As you are aware, the University is constantly and consistently making changes.</p> <p>2) the new district did not show the exclusion of residential homes in the new boundaries. Why are these being included? The Church is not owned by the University and is also included.</p> <p>3) there are a few homes that the University has bought in the residential area between the fraternities and Red Road/Miller. Will this new designation give them an exemption on paying taxes on those homes?</p> <p>4)when I learned from the City of the new proposed changes to the UMCAD process, I got the materials. I also went to the website as suggested. The section that deals with UMCAD/University District was included, showing a meeting date of mid-July, BUT none of the relevant text was there, it had been replaced with the text [Reserved].</p> <p>5) please provide me with the schedules public meetings, including Planning &amp; Zoning, City Commission and any meetings between the City and the University on this issue.</p> <p>I understand that the City Commissioners have other jobs, and that they can't discuss items coming before them. However, I do expect that they meet with and/or talk to residents to get any concerns in order to have sufficient time to understand any issues before due commission meetings, where public speaking time is limited.</p> <p>I do truly appreciate Mr. Cabrera's quick response and attention to my concerns. Mr. Cabrera seems to truly listen to residents.</p>
4.	08 16 05	Elaine Codias 1604 Casilla St. Coral Gables, FL 33134	jceceloh@bellsouth.net	<p>After attending the Planning and Zoning Board public meeting of August 10, 2005 I would like to make the following comment:</p> <p>Houses in the area referred to as SF 1 of Coral Gables are being torn down and new buildings are being built on these lots. The underlying source of all the resulting problems caused for the neighbors is that the buildings- often built by speculators- are too large for their lots.</p> <p>But there is an additional problem. In our immediate neighborhood 4 buildings have been built which are so similar as to suggest a subdivision. As I assume these buildings have been built in</p>

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				<p>compliance with the current Zoning Code, and as they are so similar as to destroy the "custom-built" look of our Coral Gables neighborhood, I must conclude that the section of the zoning code which deals with the construction of similar buildings, section 15-5, must be strengthened.</p> <p>Thus I request that this issue be seriously studied. If nothing is done it appears that a developer could come in and wipe out whole blocks of Coral Gables, putting up instead something that looks like a housing development in place of the charming neighborhoods of custom-built homes for which Coral Gables is known.</p> <p>The buildings which concern me are 704 Zamora Ave., and 717, 713, and 705 Madeira Ave. I have pictures of these houses which can be emailed; as well as a suggestion for how to strengthen section 15-5. Please feel free to contact me at any time.</p> <p>I realize these are difficult issues, and I thank all those involved in the Zoning Code rewrite for their hard work and patience. Best regards, Elaine Codias, Ph.D. 1604 Casilla St. Coral Gables, FL 33134 305-798-0585</p>
5.	08 16 05	Elaine Codias 1604 Casilla St. Coral Gables, FL 33134 305-798-0585	jceceloh@bellsouth.net	<p>As a resident of Coral Gables I have followed the proposed rewrite of the Zoning Code with great interest. I realize this is a difficult and complex task and thank all involved for their patience and hard work.</p> <p><b>Following the public meeting of 08/10/05 I have two general comments:</b></p> <p>1) Several people at the meeting commented that "why fix something that isn't broken." In other words, they think that as the current zoning code has made Coral Gables what it is today, why change it. My response would be that they don't realize the very recent radical changes taking place in the type and source of the residential buildings being constructed. Every one of the houses I find too big for its lot and inappropriate to the neighborhood is being built by speculators, not homeowners. The fact that these builders will not live in the homes they are building leaves them free from the ordinary constraints which would govern residents. For that reason it is important for the City to step in and put in place constraints which, if they won't drive these speculators completely out of our neighborhoods, will at least force them to build in a manner not destructive to the existing homes.</p> <p>2) Several times at the meeting it was suggested that more objective criteria are needed. For</p>

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				<p>example, the judgment of whether a planned building is appropriate to a particular area should not be the subjective opinion of one person. I would agree with the need for objective criteria, and in the above example would suggest the following approach: In the Coral Gables Cottage Regulations there is a list of 20 "specific features." Whether or not a building qualifies as a cottage is judged by a general statement, and then whether it has at least 12 of the specific features. Something similar could be done to decide whether a proposed building fits the neighborhood. The "specific features" used to judge the appropriateness of a building for a given area might include such things as square footage of the homes, number of garages, one-story vs, two-story, etc. If the new building didn't have some minimum number of features, it would not be approved.</p> <p>As it might be an administrative burden to analyze a neighborhood in this way, the idea of "neighborhood appeals process" suggested at the meeting by Joyce Newman and Al Acosta might enter in. For any "tear-down" or large "addition" I would like to see everyone within a couple of blocks notified by mail, in addition to the posting of the property which already takes place. If, after attending the public hearing, neighbors thought a building was inappropriate, they could request a "neighborhood analysis" as described above as part of their appeals process.</p> <p><b>In addition, with respect to the proposed changes in the Zoning Code I have the following more specific comments as regards the SF 1 district:</b></p> <ul style="list-style-type: none"> <li>• I fully support a reduction in the allowed height of residences from 34 ft. to 27 ft. I would also strongly support a further height reduction if that were to be adopted.</li> <li>• I strongly support the notion that a proposed building greater than 12 ft. in height should not be allowed to put its neighbor in its shadow.</li> <li>• I strongly support the proposed increase in the required rear setback in SF 1</li> <li>• I would suggest that a minimum side setback of 5 ft. is too close to the property line except in exceptional circumstances.</li> <li>• As regards lot coverage: It is my understanding that a major reason for requiring a certain amount of unpaved land on a property is to allow proper drainage to avoid flooding and to allow recharge of our aquifers, upon which we ultimately depend for drinking water. If that is the case, then it is a mistake to reduce the required unpaved land, even as an incentive for people to build a desired feature, such as a port-cochere.</li> </ul> <p>Finally, it would seem that all of the problems we are having with the so-called over-sized homes arise from one underlying feature: the buildings are too large for the lots upon which they are built. A very large house requires a large lot. In that way the building will be more likely to fit with the existing homes; it will be less likely to take air and sunlight from its neighbors; and it will not</p>

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				<p>become an eyesore on a block of existing smaller homes. The City already restricts what can be built in many ways. Thus I see no reason for the City to hesitate to put in place further guidelines for home building which allow appropriate re-development while still protecting the rights of current homeowners.</p> <p>Regards,            Elaine Codias            1604 Casilla St.            Coral Gables, FL 33134            305-798-0585</p>
6.	08 16 05	Valerie Robbin	Flower8349@yahoo.com	<p>I'm concerned about letting property owners use too much of their lot and not allowing for trees. In the areas where old Gables apartment buildings are being destroyed and new townhomes are going up, there is no longer room for trees. What will happen to the canopy of trees that the Gables is known for? The more high rises and large homes we allow, the less room for the trees.</p> <p>Are the old Dade County Pine trees to be destroyed on the lot on Almeria that is to be occupied by multi-family homes? Can we save some of them? I thought the Gables was a bird sanctuary?</p> <p>It's nice that we want to allow land owners to build as they please, but we really need to work for the better of the whole and protect the character of Coral Gables. Some of these lots are developed by investors who don't live here and don't care what happens to our city.</p> <p>Please remember.....What we do now will influence the future for our families who plan to stay here and our children. I've lived here 40+ yrs. and it is breaking my heart to see what is going on. It seems to be all about the money and not the wishes of our residents.</p> <p>Thank you, Valerie Robbin</p>
7.	08 15 05	Amado J., "Al" , Acosta, PE Executive Director Riviera Neighborhood Association, Inc.	amadojulio@aol.com	<p>Good morning Mr. Riehl, and other distinguished officials,</p> <p>This is to officially transmit the documents we presented at the referenced meeting and to re-emphasize our needs <b>regarding residents notifications for projects requiring zoning changes or building code variances</b> for the area we covered during our April Visioning Process, mainly the area bound by Maynada, Sunset, Red Road, US 1 and Caballero/Alfonso. Due to summer vacations and travel schedules, including those of Professor Richard Shepard at the U of M School of Architecture and Urban studies, our final draft of the Visioning Documents for the Charette are still in preparation. When we are ready we will request the Commission for an opportunity to present it to them and to the appropriate Department Directors and hope that the Commission will grant us that moment. However, due to time cycle of the zoning, and now also the master land use rewrites, we feel there is a need now for your consideration, and that of the PAZB, of our request for <b>resident notification, as covered by Items 1 and 2 on the</b></p>

# Zoning Code Rewrite (Part 3)

## Public Comments - Verbatim (Updated 06 02 05 thru 08 18 05)

	Date	Name & Address	Email Address	Verbatim Comments
				<p><b>Attachment to the letter Ms. Newman, our President, wrote to the PAZB on 8-10-05, copies of all attached to this email.</b></p> <p>As I demonstrated to the PAZB and to Mr. Riehl on 8-10-05, using a yellow tip that was equal to 1 inch, which in the scale of the Map I used represents 1,000 ft., <b>our area will go without any notice whatsoever for projects that may require variances or zoning changes</b>, with possible major impact in our quality of life, along many sections along the perimeter of the described area. We all know this area is already undergoing major changes and is bound to undergo even greater changes. It is only fair that the residents in our area be notified in a timely manner.</p> <p>We have two possible permanent solutions for the changes we so much need, as described under Items 1 and 2 of the attachment to the 8-10-05 letter. We are asking the Planning Department director to research this and get back to us in a timely manner so that we can legally pursue our rights to request the necessary changes in time for the April 2006 Master land Use Documents state-mandated updating.</p> <p>We also presented in writing our views regarding oversized homes and other matters, as we have done verbally throughout the rewrite process. Land assembly, lot splitting, side setbacks ( good to see the new rear setback proposal by the Planning Dept.).</p> <p>On behalf of our members, we appreciate your considerations in the Planning Department as well as those expressed by the Honorable Mayor, Vice Mayor, and other Honorable Commissioners.  Amado J., " Al" , Acosta, PE  Executive Director  Riviera Neighborhood Association, Inc.  Tel. 305/345-2244</p>
8.	08 12 05	Elaine Codias 305-443-1171 305-798-0585	jceceloh@bellsouth.net	<p>Commissioner Anderson,</p> <p>I have continued to follow the rewrite of the zoning code, attending meetings when possible. I share the general concern of many of my neighbors that buildings being built in our neighborhoods are too big for their lots and are incompatible with surrounding homes [the McMansion problem.] However, in 4 houses recently built near us I see an additional problem. Not only are they too big- they also, to my eye, look so much alike as to look like a subdivision. [4 buildings built by the same developer- see my letter to you of 04/25/05, hopefully attached below.]</p> <p>I have located the section of the zoning code that apparently deals with this issue. It is section</p>

# Zoning Code Rewrite (Part 3)

## Public Comments - Verbatim (Updated 06 02 05 thru 08 18 05)

	Date	Name & Address	Email Address	Verbatim Comments
				<p>15-5: Duplication of elevations and/or exterior architectural design. This section of the code seems to ban such similarity in buildings. However, assuming that these buildings conform to the current code, as they have already been built, my conclusion is that this section of the code should be strengthened.</p> <p>At this point I am at a loss as to how to proceed. I have stood up at at least 2 meetings to make the point I am now making to you. But it occurs to me after the Planning and Zoning Board meeting of the 10th that there are dozens of details being considered (setbacks, height of buildings, etc. etc.) and probably nobody is considering rewriting section 15-5.</p> <p>Any ideas of how I can bring this to the attention of someone who has the authority to 1) see whether they agree there is a problem, and then 2) act to strengthen section 15-5, or bring this problem to the attention of someone who can act.</p> <p>We live at 1604 Casilla- NW corner of Casilla and Zamora. The 4 buildings mentioned above are 705, 713, and 717 Madeira, and 704 Zamora. [I have digital pictures of these buildings which I can email.]</p> <p>If developments like this aren't stopped we will soon lose the "custom built" look which so defines Coral Gables.</p> <p>Best regards, Elaine Codias 305-443-1171 305-798-0585</p>
9.	08 11 05	Macdonald West, CRE, FRICS, MBA, President & CEO The Macdonald West Company 1172 S. Dixie Hwy - #600 Miami, FL 33146- 2918	macwest@bellsouth.net	<p>Dear Eric,</p> <p>Per your request at the Planning and Zoning Board Meeting / Public Hearing last night, August 10, I am enclosing the requested changes discussed at the Hearing concerning Parcel #43. Please call me if you have any questions.</p> <p>Mac. Macdonald West, CRE, FRICS, MBA, President &amp; CEO The Macdonald West Company 1172 S. Dixie Hwy - #600 Miami, FL 33146-2918 Bus: +1 305 667 2100 Fax: +1 305 663 0028</p>

# Zoning Code Rewrite (Part 3)

## Public Comments - Verbatim (Updated 06 02 05 thru 08 18 05)

	Date	Name & Address	Email Address	Verbatim Comments
				<p><b><u>SUMMARY OF RESIDENT REQUESTED CHANGES</u></b></p> <ol style="list-style-type: none"> <li>1. In 1988, the residents of Orduna Drive voted to approve a zoning change on the above parcels from Residential use to Commercial use, <b>on condition that the height restriction remains at 2 stories.</b></li> <li>2. This height restriction was made part of the approval granted by the City Commission and also written into the Site Specific Regulations of the Zoning Code, Article 4, Section 4-80 (d) 3 on page A4-39.</li> <li>3. In addition to the height restriction, there were also a <b>limited number of office uses permitted on this property.</b> High traffic uses such as Doctor's offices, etc were excluded.</li> <li>4. There was a Restrictive Covenant and City Ordinance approved by the City Commission that specified the conditional uses and height restrictions on these lots.</li> <li>5. The Coral Gables Comprehensive Land Use Plan currently shows this property as Commercial Use, Low-Rise Intensity (4 Stories; FAR 3.0). The majority of properties fronting US1 within Coral Gables are 1 and 2 stories in height. <b>We believe there should be a new CLUP Commercial Use category for Low- Rise Intensity (2 Stories; FAR 1.5).</b> Four story construction on these lots will rob the privacy from homes on Orduna Drive and across the Waterway on Riviera Drive. This loss of privacy will be vigorously opposed by the neighbors.</li> <li>6. The proposed zoning change on this property is from XA-13; Apartment Use to CB; Commercial Use. <b>We believe the zoning change should be to CA; Commercial Use - with a height limitation of 2 stories.</b></li> <li>7. <b>The Zoning Code Rewrite should include all the above provisions to protect the integrity of the Orduna / Riviera Drive residential neighborhoods. As currently drafted, the Zoning Code Rewrite does not adequately address these issues to protect and maintain the integrity of the neighborhoods.</b></li> </ol> <p>Note: The Orduna Court Condominium on Block 89, Lots 10 – 18 has requested the Apartment Land Use and Zoning Regulations remain intact for its property, so it does not become a "non-conforming use". This request seems reasonable. However, this Condominium, completed in 1982, is four stories high - in a two story Apartment Zoning District?? The adjacent single-family home owners don't understand how this was permitted by the City of Coral Gables. They wish to insure similar errors are not repeated. The Office Building on the north side of Orduna Court, completed in 1990, was limited to two stories, with the support of the neighbors.</p>
10.	08 10 05	Carlos Cuda	CarlosCuda@aol.com	<p>Is the ability to park open bed trucks going to be on any zoning agenda? I feel strongly that non commercial trucks should be allowed to park in the City Beautiful. Truck are a modern vehicle that are very practical.</p>

# Zoning Code Rewrite (Part 3)

## Public Comments - Verbatim (Updated 06 02 05 thru 08 18 05)

	Date	Name & Address	Email Address	Verbatim Comments
				I am interested where the City, Commissioners and City Manger stand on this issue. Thanks
11.	08 11 05	Ken Spell Manager, Strategic Planning & Business Development Baptist Health South Florida 6855 Red Road, Suite 500 Coral Gables, FL 33143	kennethS@baptisthealth.net	Good Morning, I had an opportunity to attend the public hearing last night. Most of the discussion centered on the proposed SF1 and SF2 zoning guidelines. I just wanted to make sure that we understand any proposed changes, if any, to the Special Use District. Also, I noticed on the map that the University of Miami would have its own zoning designation. I would appreciate it if you could send me a copy of the original language with the proposed changes as it relates to the Special Use District and the UMC designation. If you have any questions, please feel free to call me. My contact information is listed below. Sincerely, Ken Spell Manager, Strategic Planning & Business Development Baptist Health South Florida 6855 Red Road, Suite 500 Coral Gables, FL 33143 Telephone: 786-662-7990 Fax: 786-662-7051
12.	08 10 05	Valerie Robbin	flower8349@yahoo.com	I didn't get up and speak, but had much of the same feelings that the residents of our beautiful city had to say in regards to safeguarding the character and beauty of this city.  We need to preserve our neighborhoods and it seems you have a difficult task of figuring out a way to do that. I see two points of view on the issue. One is coming from the people who live here because of what The Gables is suppose to represent and the other are the architects, developers and realtors who only care about making money and profiting from our loss. As one of the speakers pointed out - What we do now will affect the whole future of Coral Gables. We won't be able to tear down the homes we oppose as we tore down the extension to City Hall. There will be no stopping the change as we have already destroyed downtown Coral Gables. A little bit of me dies each time I see our green spaces disappear and each time we tear down trees to cover lots with houses that leave no yard and few trees. Please make the right decision to protect what most people in the Gables have chosen as a way of life.  I feel that each neighborhood has it's own character and we need to take into consideration the size of the lots and what is appropriate to that area. There are large homes on Granada that look fine because they are on large lots. The architects don't care about the neighborhood as a whole. They care about how much money they get for their big houses. Thank you and I have hope that you feel the same and will do the right thing for us.

# Zoning Code Rewrite (Part 3)

## Public Comments - Verbatim (Updated 06 02 05 thru 08 18 05)

	Date	Name & Address	Email Address	Verbatim Comments
				Sincerely, Valerie Robbin
13.	08 09 05	Valerie Robbin	flower8349@yahoo.com	<p>My main concern is that there is not enough of a buffer zone between the high rise buildings and single family zoned areas of the Gables.</p> <p>I live on Palermo which has some multi family structures next to single family homes. If the whole area or street is zoned multi family, will my house be subject to being torn down if a developer wants to build? I feel that these multi family buildings that were originally built as part of the neighborhood should be grandfathered in and no more should be allowed to exist with already standing single family homes.</p> <p>I also feel that the style of the Gables is being compromised and changed as we continue to allow new townhouses to be built in a form not consistent with the original design and flavor of the Gables.</p> <p>Lastly, we have already destroyed downtown Coral Gables with too much congestion. I hope there will be a way to preserve what is left of Coral Gables. Thank you.....Valerie Robbin</p>
14.	08 10 05	Michael Steffens 161 Aragon Ave. Coral Gables, Florida 33134	<a href="mailto:mike@nevillesteffens.com">mike@nevillesteffens.com</a>	<p>Planning and Zoning Board Members and Director,</p> <p>I may not be able to attend the meeting of August 10, 2005 so I would like to include comments about the interim and proposed Residential Districts Article Revisions and a letter that was sent to the editor of the Coral Gables Gazette.</p> <p>The Proposal for SF-1 residential district is extremely excessive. It has gone much further than the already excessive interim ordinance.</p> <p>The new proposal has stripped a huge amount of property rights from owners of small properties. An owner with a 5000 sq.ft. lot is now allowed to build a 2400 sq.ft. house. Under this proposal he would only be allowed to build 1750 sq.ft. a 27% reduction. It has limited homes to one story and it has pushed the homes deeper into the lots by at least 10 feet, reducing or eliminating the already small yard that was possible on the small lots.</p> <p>The most troubling part of the new proposal is taking the job of the Board of Architects and placing it in the hands of the "Development Official".</p> <p>I believe that the proposed responses to the perceived problem have gotten out of hand. As outlined in the letter below the mechanisms to address the problem exist. If there are problems with what is already in place the fix should start at that point.</p>

# Zoning Code Rewrite (Part 3)

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	Date	Name & Address	Email Address	Verbatim Comments
				<p>Sirs,</p> <p>The tremendous outcry over the last five years about the overbuilding of the downtown and the apartment districts never elicited even the faintest proposal about a reduction in the amount of building that developers would be allowed to build on their land. The City understood that any changes would be overwhelmingly opposed by developers and their consultants. Unfortunately single family home owners are not usually as savvy and aware of the consequences of actions as those developers and their highly paid consultants.</p> <p>The new single family homes ordinance recently passed by the Coral Gables City Commission as an interim measure in response to the threat of "monster homes" is a "taking" more extensive than any zoning proposal in Coral Gables history. The real danger is that this current interim regulation may become a permanent part of the revisions to the zoning code. This interim regulation can and will have drastic implications on every single family property in Coral Gables. These implications are not totally understood by the owners and residents.</p> <p>Depending upon how calculations are performed, there is a reduction of between 10% and 17% of the amount of house that is permitted to be built. This is a significant reduction, especially in small homes where every square foot is usually needed to provide the amenities that are required and demanded in today's marketplace. Ten percent of the area of a home on the typical 50 x 100 foot lot is 240 square feet. That is equivalent to a one car garage or a bedroom and bathroom. Enough of a difference so as to make a "starter" home at today's prices unrealistic. A reduction of 15% to 17% of a home on a large lot can equate to several thousand square feet. This amount sounds like a great deal of area but it may not even be noticeable on the larger lots distributed throughout the Gables, especially on the important boulevards and in the southern areas of the City.</p> <p>In some cases, but not all, most of that area that is forfeited could be gained back through good design measures as outlined in the ordinance. But one of the most significant problems lies with additions to existing homes. Most existing homes may not be able to qualify for any of the bonuses to gain back the forfeited area. This may mean that an expanding family in a small existing home that wants to stay in their neighborhood has no option but to move out of Coral Gables.</p> <p>There is really nothing wrong with the current code, it is the implementation of the code that is problematic. There have been many homes built over the past twenty odd years that take full advantage of the area of home that is permitted to be built and are not disrespectful of their neighbors or their neighborhood. It is just recently, with a very few examples, that owners and</p>

# Zoning Code Rewrite (Part 3)

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	Date	Name & Address	Email Address	Verbatim Comments
				<p>builders have been expanding the VOLUME of the homes out of proportion to the adjacent properties and the neighborhood in general. It is this incompatibility of volume that needs to be addressed, not the area of the homes that is a problem.</p> <p>As I have stated in the past, the correct way to handle this so called problem would be to designate certain areas of the Gables as historic districts/neighborhoods or conservation districts/neighborhoods. This would allow the concentration of energies in the areas that may be directly affected. It would also allow the two city boards that should be addressing this problem most directly, the Board of Architects and the Historic Preservation Department, to provide appropriate oversight. If there are problems with that oversight then those issues should be addressed first before making wholesale changes to the zoning code.</p> <p>This is a taking of personal property rights pure and simple. Single family homeowners need to protect their property rights. There is a critical meeting of the Planning and Zoning Board next Wednesday, August 10, that will review this issue. Be sure to make your opinions known to the City Commission and the Planning and Zoning Board before or during that meeting.</p> <p>Sincerely  Michael Steffens  161 Aragon Ave.  Coral Gables, Florida, 33134  305.448.5299 Voice  305.444.0842 Faxl</p>
15.	07 26 05	Fernando E. Menoyo	<a href="mailto:rentals@coralgablesrentals.com">rentals@coralgablesrentals.com</a>	<p>Eliminating the cement " buttons " that are all over city parkways would be a great improvement.</p> <p>Kind regards,  Fernando E.Menoyo  Manager / Owner  <a href="mailto:rentals@coralgablesrentals.com">rentals@coralgablesrentals.com</a>  Ph. 305.443.3441 Fx. 305.443.7543</p>
16.	07 19 05	Mrs. A.L. Fulks 717 Santander Avenue Coral Gables, FL 33134-6524	alfulks@earthlink.net	<p>Yesterday, (July 15, 2005), I received a letter from Coral Gables City Manager, David L. Brown, regarding last year's enacted temporary building moratorium. The moratorium effected area's zoned residential, multi-family located along Biltmore Way, and Avenues Valencia, Almeria, Sevilla, Palermo, Malaga, Santander and Anastasia. As stated in the letter by Mr. Brown, the City amended the Zoning Code with legislation that would encourage low-rise development - basically developing low rise buildings - <u>including townhouses</u> - in lieu of mid-rise and high-rise apartment buildings.</p> <p>Of serious concern is the traffic problem afflicting Coral Gables - which already exists. Building residential multi-family complexes - be they apartments or townhouses - will only aggravate the</p>

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	Date	Name & Address	Email Address	Verbatim Comments
				<p>existing problems.</p> <p>The proposal of building ten luxury townhouses in the 600 block of Almeria Avenue ("Almeria Row") - I imagine there will be 2-3 bedrooms for each townhouse which may have 2-3 automobiles per household which will add up to approximately <u>twenty-thirty</u> cars per development. This is just <u>one development</u> in the process of being submitted to the City! At present, seven more Avenues, (Valencia, Sevilla, Palermo, Malaga, Santander and Anastasia), as well as Biltmore Way, have like development being proposed and submitted to the City by developers.</p> <p>I believe the scale of development being proposed by the new Ordinance 2004-25 to the City must be <u>reduced even further</u> so that the quality of life in the "City Beautiful" is not jeopardized nor compromised by traffic, over-utilization of natural resources, and lack of green space.</p> <p>Perhaps only <u>five "luxury" townhouses</u> could be built at the "high end" of development - bringing in tax revenue and all the other amenities to keep our City known by its name as the "City Beautiful". I don't believe Coral Gables founder, George Merrick, would want a choked and traffic congested paradise.</p> <p>Thank you for listening.            Kindest regards            (Mrs.) A.L. Fulks            717 Santander Avenue            Coral Gables, FL 33134-6524            Telephone: 305 446-7420            email: <a href="mailto:alfulks@earthlink.net">alfulks@earthlink.net</a></p>
17.	07 11 05	Beth Preiss The Humane Society of the United States (301) 258-3167	bpreiss@hsus.org	<p>Dear Mr. Riel:</p> <p>On behalf of The Humane Society of the United States (HSUS), which is the nation's largest animal protection organization, and our many members and constituents in Florida, I strongly support the efforts of the Planning and Zoning Board to prohibit the possession of wild animals as pets in Coral Gables.</p> <p>Keeping wild animals as pets poses a serious threat to the health and safety of area residents, as well as to the welfare of the animals. Many of these animals are dangerous and unsuited to domesticated life as evidenced by the burgeoning number of attacks on people by privately owned wild animals. In addition, wild animals kept as pets can transmit serious and sometimes fatal diseases to people, including Herpes B, Monkeypox, Salmonella, Tuberculosis, and Rabies.</p>

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				<p>The ownership of any animal carries with it the serious responsibility to provide appropriate and humane care. Where wild and exotic animals are concerned, this requires considerable expertise, specialized facilities, and total dedication to the needs of the animals. Meeting this responsibility can be impossible for the average pet owner, and the animals invariably suffer.</p> <p>Wild animals are readily available for purchase from a thriving exotic pet industry. However, an animal obtained from these sources is neither domesticated nor trustworthy simply by virtue of being captive-born or hand-raised by a human. The cuddly baby can grow larger, stronger, and more aggressive than the owner ever imagined. Inevitably, the animal ends up confined to a small cage, cruelly neglected, passed from owner to owner, or placed back in the cycle of breeding in the exotic pet trade. If these animals are let loose or escape, they can wreak havoc for law enforcement and on native ecosystems.</p> <p>First responders to Florida hurricanes have enough on their hands without encountering snakes and other wild animals kept as pets. Snakes such as pythons and boas can easily grow large enough to injure or kill a person. Even small snakes can be lethal. In June, Ohio authorities were searching for a missing 12-inch snake whose venom could kill an adult in 15 minutes.</p> <p>Florida's iguana population is exploding, in part because people release unwanted pets outdoors. Like other reptiles, iguanas carry Salmonella bacteria that can be transmitted to people and cause life-threatening complications.</p> <p>I understand that the changes under consideration would allow small turtles as pets. In fact, the health risks from these animals are so great that the sale of small turtles (with shells less than four inches long) as pets is prohibited by federal regulation (<a href="http://www.fda.gov/cvm/turtlereg.htm">http://www.fda.gov/cvm/turtlereg.htm</a>). The Centers for Disease Control and Prevention estimates that this ban prevents about 100,000 cases of reptile-associated salmonellosis each year. For health and humane reasons, we recommend that you include all turtles in the animals to be prohibited as pets.</p> <p>Many states and communities prohibit wild animals as pets. We applaud Coral Gables for taking action to join them to protect public health and safety, and to promote the welfare of animals.</p> <p>Thank you for the opportunity to comment. Best regards, Beth Preiss</p>
18.	07 10 05	Thomas R. Mooney 601 Navarre	cityplan@bellsouth.net	Mr. Mayor and Members of the City Commission, please click the attached letter. If you cannot open the attachment, please let me know and I will re-send it.

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	Date	Name & Address	Email Address	Verbatim Comments
		Avenue		<p>Thank you.            Thomas R. Mooney            601 Navarre Avenue</p> <p>Attachment:            July 5, 2005</p> <p>Mayor Donald Slesnick and the Members of the City Commission            City of Coral Gables            405 Biltmore Way            Coral Gables, FL 33134</p> <p>RE: June 29, 2005 Single Family Home Study Session</p> <p>Dear Mayor Slesnick and Members of the Commission:</p> <p>I am writing to you as a resident and home owner in North Gables. I was able to attend the June 29, 2005 Study Session at the Biltmore Hotel, where the proposed Single Family Development Regulations were discussed by the Planning Board and the Board of Architects. I was very impressed with the presentation made by the City's consultant, the knowledge and competence of the members of the City Administration who were present, and the sensitivity of the Board members to the existing scale and character of the North Gables area.</p> <p>This Study Session was very insightful in terms of delineating the varying points of view with regard to the direction development regulations should take. However, there did not seem to be a clear consensus among the participants as to how the revised development regulations should be formulated. As discussed at the study session, one of the most successful facets of North Gables is the variation of building types and the lack of uniformity in terms of building location, which was accomplished very successfully over this history of the development of North Gables. In order to further the goals of the study session participants, as well as the residents of North Gables, I would like to offer the following suggestions for the proposed Single Family Development Regulations:</p> <p><u>Historic Designation</u>            The designation of a North Gables Single Family Local Historic District would go a long way in ensuring the protection of not just existing architecturally significant structures, but, more importantly, the scale, character and built context, which has been time proven to be highly successful. An historic district would assure that the most significant architecture would be</p>

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				<p>preserved, and that any additions or new construction would be consistent with scale, context and character of the immediate area, as new construction and additions would require the approval of the Historic Preservation Board.</p> <p><u>Purpose</u> The revised code should clearly differentiate development regulations for the North Gables area, and should outline the “purpose” for the regulations. In this regard the purpose should not be to just regulate the size of new construction and additions, but to recognize the importance, value and architectural integrity of the as-built environment; most importantly, the new code needs to protect the established architectural integrity of North Gables.</p> <p><u>Lot Coverage and FAR</u> The current City Code is somewhat convoluted, as there are five (5) separate requirements for measuring the square footage and foot print of a home. These measurements should be substantially simplified, and they should also address the actual volume of a single family structure.</p> <p><u>Height Limits</u> The maximum height for new structures in North Gables should not exceed 2 stories, and 25 feet above the minimum flood elevation. The existing, successful historic building form in North Gables did not incorporate the excessive floor-to-ceiling heights that are being utilized in new single-family construction, nor does the height of the older 2 story homes overwhelm the built context of the individual blocks.</p> <p><u>Interior and Rear Setbacks</u> Along with height limitations, this is one of the 2 most critical components to successful single family development regulations. In this regard, it does not make sense to impose a rigid setback requirement for the entire interior side or rear portions of a lot; conversely we cannot rely solely on design criteria to address this issue either.</p> <p>The revisions to the interior setback requirements should take into account the percentage of a home located along a 5 foot setback line, a 7.5 foot setback line and a 10 foot setback line, so that you do not have the entire mass of a home running along a single setback line that is too close to the property line. Additionally, portions of a second floor should be further setback and courtyards should be encouraged. Open porte-cocheres, with no structure above, should be setback at least 2’ from an interior property line.</p>

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				<p><u>Garage and Porte-Cocheres</u>            The size and location of garages is both a function of design and measurable requirements. For lots 75' in width or less, garage openings fronting a street should not exceed one-car in width, or 9 feet. For lots greater than 75' in width, garage openings fronting a street should not exceed two-cars in width, or 18 feet. The incorporation of porte-cocheres, which are fully open on 3 sides and limited in width to 12 feet, should be encouraged, depending upon the architectural style.</p> <p><u>Street Side Setbacks</u>            There was some discussion pertaining to the reduction of street side setbacks. While this may potentially improve the interior side setbacks, it could have a negative impact on the existing built character of the street side portions of City blocks. Currently, all street side setbacks provide a uniform buffer, just like the front setbacks do, and any relaxation of the minimum street side requirement would result in an inappropriate undulation of building mass, as all existing structures maintain a uniform street side setback.</p> <p><u>Design Guidelines and Criteria</u>            The adoption of applicable design criteria and guidelines is critical in empowering the Board of Architects. These criteria should give both staff and the Board the latitude to require modifications to the design, scale, massing and footprint of a proposed home, in order to address the built context in which a new home or addition is proposed to be placed. They should not dictate specific building materials, architectural design, or building location, but should provide the legal basis for the professionals on the Board to regulate each application on an individual, case-by-case basis.</p> <p><u>Reorganization of the Review Process</u>            Currently, the Board of Architects reviews virtually every improvement to a single family home, at the same meeting that they review large scale commercial projects and new single family homes. From experience I can state, unequivocally, that the process in place is both dysfunctional and overwhelming. The following is a more streamlined approach:</p> <ol style="list-style-type: none"> <li>1. All applications pertaining to minor improvements such as driveways, paint color, awnings, windows, landscaping, etc, would be reviewed and approved by either a City Architect, or the professional staff to the Board of Architects.</li> <li>2. A preliminary review process needs to be established and should be coordinated by the professional staff to the Board. It appears that additional staff is going to be necessary, as the existing staff is overburdened. With additional staff, each application for new construction or additions to single family homes could be properly evaluated so that home owners do not waste</li> </ol>

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Date	Name & Address	Email Address	Verbatim Comments
			<p>a lot of money designing and drawing a home that may not be able to be approved or built. Prior to an application being filed, the staff to the Board could explain the relevant criteria and work with the home owners architect to implement design changes that would successfully address the criteria.</p> <p>3. Additions and/or expansions of existing single family homes or new construction of single family homes would be reviewed by the Historic Preservation Board (North Gables Local Historic District) or the Board Of Architects (Pursuant to revised evaluation criteria). The review of single family construction or additions should take place on meeting dates that are different from the dates at which commercial and multi-family projects are considered.</p> <p>4. Consideration should be given to creating a larger, more diverse board, consisting of a Landscape Architect, Urban Planner, Professional Designer, and a Citizen-at-Large, in addition to the Architects, for Commercial and Multi-Family projects only. This will allow a much more thorough level of review for larger projects and would relieve the Board of Architects from their overbearing workload.</p> <p><u>Lot Aggregation</u> The aggregation of smaller lots in North Gables should be subject to the approval of the Planning Board (or the Historic Preservation Board if located within a Local Historic District), at a public hearing, and in accordance with very specific criteria; such criteria should include:</p> <ol style="list-style-type: none"> <li>1. The maximum number of contiguous lots that can be aggregated shall not exceed two (2).</li> <li>2. The maximum number of contiguously aggregated lots shall not exceed three (3) per City block.</li> <li>3. Aggregated lots shall be separated by a single lot.</li> <li>4. The lot coverage, building location, scale and massing of any new structure to be located on an aggregated lot shall be consistent with the established context of the block and the surrounding area.</li> </ol> <p><u>Lot Splits</u> The division of one large lot into multiple lots for the purpose of constructing a single home on each site in North Gables should be subject to the approval of the Planning Board (or the Historic Preservation Board if located within a Local Historic District), at a public hearing, and in accordance with very specific criteria; such criteria should include:</p> <ol style="list-style-type: none"> <li>1. The sites created should be equal to and consistent with the existing building sites and of the same character as the surrounding area.</li> <li>2. The lot coverage, building location, scale and massing of any new structure to be located on new building sites should be consistent with the established context of the block and the surrounding area.</li> </ol>

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				<p><u>Balancing of Economic Issues</u>            While fully cognizant of escalating land and construction costs, there is a need to balance the economics of new construction and building expansion with the preservation of established and time proven successful, neighborhood character and context. The vast majority of the residents of North Gables purchased their home because of the successful sale and context of the area.</p> <p>My wife and I purchased our home 3 years ago and have watched the value of the neighborhood soar. Notwithstanding this increase in land value, we still value, above and beyond any quick profit, the low scale character and the highly unique architectural context of the North Gables area, which has been well established. If we had been seeking a bigger home with a 2+ car garage, a huge pool, and 5+ bedrooms, we would not have sought a home in North Gables. What we, and most home owners in the area, have given up in terms of a larger home and a bigger lot is more than made up for by a well run City, a walkable neighborhood and a strong sense of community.</p> <p>I would very much like to participate in future study sessions or workshops regarding this subject. My contact number during the day is 305-673-7000 x6191 or <a href="mailto:mooney@miamibeachfl.gov">mooney@miamibeachfl.gov</a>.            Thanking you in advance for your time and consideration.            Sincerely,            THOMAS R. MOONEY, AICP</p>
19.	06 29 05	David Adler Partner The Renaissance Companies Inc Phone- (305) 661 9936 Fax- (305) 669 2152 E-mail- dadlermiami@ aol.com	dadlermiami@aol.com	<p>Eric,            Unfortunately I have not had the opportunity to meet you in person but at the suggestion of Truly Burton of the B.A.S.F. and Jill from your office, I wanted to email some of the concerns I have with some the proposed lot coverage aspects of the new zoning code being discussed at this time.</p> <p>I am a partner in a custom residential homebuilding company with offices here in Coral Gables. We specialize in large custom homes, both speculatively and for clients, in the Gables as well as the City of Miami and Miami Beach.</p> <p>I understand that the city is in the process of rewriting much of the present zoning code for new residential construction. From what I have heard thru the grapevine and read in the newspapers, the impetus for many of these changes, in regards to the lot coverage aspects, arose from the public's (and some commissioners) growing aggravation over new homes that were being built which "dwarfed" adjacent older houses or others in the neighborhoods. Much of this was, and is, occurring in some of the older neighborhoods such as the northeast Gables, where many of</p>

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				<p>the homes are situated on smaller lots (10,000-14,000 sq. ft.) and with house that were built 50-60 years ago. This concern is not exclusive to the City of Coral Gables, as many municipalities locally and around the country are looking at the trend and deciding how to regulate future designs restrictions, so as to protect existing property owners rights' without damaging the rights of new property owners to develop their property as the desire.</p> <p>The problem, in my opinion, is that many of the proposed changes do not take into account the make up of different neighborhoods with drastically different lot sizes, house sizes, and lot frontages, etc. As an example, the permitted FAF today for a 10,000 sq ft lot is 4,150+/- sq. ft. With the proposed changes, the FAF would drop to 3,650+/- sq. ft. or a reduction of 12.04%. On a 43,560 sq. ft lot, the existing FAF is 14,218 sq. ft. If the changes are adopted, the FAF on that lot would drop to 10,362 sq. ft. or a reduction of 27.12%.</p> <p>I am beginning the design work on a property that is 65,000 to 70,000 sq. ft. Under the old regulations we could build upward of 17,000 to 18,000 sq. ft. Now we would be limited to 10,000 to 11,000 sq. ft. This is in an exclusive neighborhood with there own deed restrictions, there own architectural control board and where many of the existing homes are 12,000 to 16,000 sq. ft. Obviously this property owner should not be limited in this way.</p> <p>Instead of a strict mathematical formula to determine the FAF a different criteria needs to be adopted that includes the unique aspects of the neighborhood, the property and the design.</p> <p>I'm not trying to stop the process and I know many people, with the best of intentions, have worked for a long time on this issue. Unfortunately, I just found out about this recently or I would have come to the public meetings to discuss these concerns. However it is better to re look at any potential problems now, well into the process, then it would be to continue and have passed regulations that would drastically impact many property owners rights which may have a significant impact on the value of their property.</p> <p>I will do whatever you suggest to get involved, in a positive way, in order to help assure that the final regulations that do get adopted are workable for everyone; the city, existing and new property owners as well as architects, industry professionals and builders like myself. Maybe we could look at the property I mentioned above, as a case study, to see the effects, both positive and negative that the proposed changes would make.</p> <p>Again, I think I understand the concerns in regards to lot coverage issues and agree that certain changes should be made. I just believe, that as proposed, the changes have some drastic negative impacts that were not contemplated, on many owners properties and their rights.</p>

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				<p>I am also concerned that there is no provision in the proposed changes that allow a property owner to rebuild the exact improvements, subject to federal regulations, after a storm or other disaster. There are tremendous consequences involved including insurance issues, mortgage and banking issues as well as property rights. This should also be looked at carefully.</p> <p>I plan on attending the meeting tonight at the Biltmore and hope to be able, very briefly, to explain to all those present these concerns. If not, maybe you could distribute this to those in attendance, as well as all others involved in this process.</p> <p>Thank you for taking the time to read this. If I am wrong and these concerns are unjustified I would very much appreciate it if you would take the time to educate me. Hopefully I will be able to introduce myself tonight, and look forward to hearing from you.</p> <p>David Adler Partner The Renaissance Companies Inc Phone- (305) 661 9936 Fax- (305) 669 2152</p>
20.	06 29 05	<p>Ms. Truly Burton Government Affairs Director, Miami- Dade County Builders Association of South Florida 15225 NW 77th Avenue, Miami Lakes FL 33014 305-556-6300 ext. 209 <a href="http://www.basfonline.org">www.basfonline.org</a></p>	trulyburton@basfonline.org	<ul style="list-style-type: none"> <li>■ Hi, Eric. I wanted to alert you to a situation that I am being told about relating to larger lots and house sizes on those lots. One of our custom builders, David Adler, Renaissance Homes, will be calling you to discuss the issue.</li> <li>■ Basically, the “anti-Mac-Mansion” formula inordinately penalizes custom lots (1 acre 1/1/4 acre lots) in neighborhoods like Journey’s End, Gables Estates, etc. While proper scale is important for all sized homes, larger lots are bearing a greater percent reduction in square footage than smaller lots. This can be corrected by having a different set of requirements for homes on these sized lots. Also, since most of these sized-lots are in deed-restricted or strictly controlled homeowner association communities, their requirements would also be applicable. It is nearly impossible to have a “MacMansion” built in these 2 areas.</li> <li>■ Also, the ability to reconstruct a home or building based on the new zoning code would prohibit the reconstruction of the same sized home as the one damaged (due to fire or hurricane). This will have major, negative implications on property’s insurability and the bank’s ability to lend money to the future home owner, when it comes time to apply for a mortgage. This needs to be corrected or else the city could be impairing property owners from rebuilding the same size home they lost. This surely will result in very small homes on larger lots, which are usually worth less and will eventually pay less taxes bec’s of their diminished value.</li> <li>■ Please accept David’s call on this matter. He does not want to slow the process down as much as get these two major issues for custom home builders corrected prior to final</li> </ul>

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				<p style="text-align: center;">adoption. Thanks, TB            Ms. Truly Burton            Government Affairs Director, Miami-Dade County            Builders Association of South Florida            15225 NW 77th Avenue, Miami Lakes FL 33014            305-556-6300 ext. 209</p>
21.	06 26 05	Sheryl Rosenfield 13611 Deering Bay Dr. #901 Coral Gables, FL 33158	Sherylrosenfield@aol.com	<p>Subject: cats and Cat Network            I urge you to work with Cat Network to find a non-lethal, cost-effective solution to the challenges for free roaming cats within Coral Gables, and to reject any proposal to ban the feeding of strays. Removing existing food sources will only make the cats more desperate in their search for food, harm the health of the animals, and will likely increase objectionable behavior by preventing the monitoring and sterilization of existing cat populations.            I hope as my representatives you will be progressive and seek solutions with CINDY HEWITT, the executive director of the Cat Network. She is terrific and she does a great job leading this organization that I support.            Sincerely,            Sheryl Rosenfield            Ph: 305-259-5002            Cell 305-9751013            Fax: 305-232-5922</p>
22.	06 24 05	Daniel Fryer & Mamta Chaudhry-Fryer	danielfryer@hotmail.com	<p>June 24, 2005            Dear Mayor Slesnick, Vice-Mayor Anderson, Commissioner Cabrera, Commissioner Kerdyk, and Commissioner Withers:</p> <p>On the tape of the May 24<sup>th</sup> Commission meeting at which you approved the interim ordinance for single family homes, Commissioner Cabrera asked staff to verify the chart on minimum setback requirements in our document "Coral Gables at a Crossroads." In the June 16-22 issue of the <i>Coral Gables Gazette</i>, Michael Steffens, Mr. Cabrera's appointee to the city's Planning and Zoning Board, referred to the side setback issue as "misleading."</p> <p>People are free to double-check, but in order to respond to Commissioner Cabrera's question as well as the points brought up in Mr. Steffens' letter, <u>we repeat</u>: among local municipalities that have older neighborhoods similar to ours, Coral Gables is the only one that allows homes to be built <u>so close to the property lines</u>.</p> <p>As you can see in the chart we used in our original letter, <u>Coral Gables' minimum setback requirements are the lowest</u>.</p>

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			<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;">Municipality</th> <th style="width: 20%;">Minimum Side Setback</th> <th style="width: 50%;">Minimum rear setback</th> </tr> </thead> <tbody> <tr> <td>Miami Beach</td> <td>7.5'</td> <td>20'</td> </tr> <tr> <td>Miami Shores</td> <td>10'</td> <td>15'</td> </tr> <tr> <td>Key Biscayne</td> <td>7.5'</td> <td>25' (can be staggered to 15')</td> </tr> <tr> <td>Coral Gables</td> <td>5'</td> <td>5'</td> </tr> </tbody> </table> <p>This holds true, <b>regardless of lot size</b> and <b>regardless of the total side setback requirements.</b></p> <p style="text-align: center;">LOT SIZE:                      50' by 100'    75' by 100'    100' by 100'</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>% of front width required for side setbacks</th> <th>Required minimum setback (total)</th> <th>Minimum setback (each side)</th> <th>% of front width required for side setbacks</th> <th>Required minimum setback (total)</th> <th>Minimum setback (each side)</th> <th>% of front width required for side setbacks</th> <th>Required minimum setback (total)</th> <th>Minimum setback (each side)</th> </tr> </thead> <tbody> <tr> <td>Miami Beach</td> <td>30%*</td> <td>15'</td> <td>7.5'</td> <td>20%*</td> <td>15'</td> <td>7.5'</td> <td>15%*</td> <td>15'</td> <td>7.5'</td> </tr> <tr> <td>Miami Shores</td> <td>40%**</td> <td>20'</td> <td>10'</td> <td>26.7***</td> <td>20'</td> <td>10'</td> <td>20%***</td> <td>20'</td> <td>10'</td> </tr> <tr> <td>Key Biscayne</td> <td>N.A.****</td> <td>-</td> <td>-</td> <td>25%</td> <td>18.75'</td> <td>7.5'</td> <td>25%</td> <td>25'</td> <td>7.5'</td> </tr> <tr> <td>Coral Gables</td> <td>20%</td> <td>10'</td> <td>5'</td> <td>20%</td> <td>15'</td> <td>5'</td> <td>20%</td> <td>20'</td> <td>5'</td> </tr> </tbody> </table> <p>*Miami Beach requires a minimum of 10% of lot width <u>or</u> 7.5' on each side, whichever is greater.  **Miami Shores has few lots this size. ***They do not require a percentage of the width, but have a flat setback requirement. No variances are granted on setbacks.  ****No lots this small. On the other lot sizes, these minimum setbacks are for typical non-waterfront lots in certain districts. In the remaining districts and for waterfront lots, the setbacks are even greater. No variances on setbacks.</p> <p>Coral Gables is the only one of these communities to allow the house to be as close as 5' from</p>							Municipality	Minimum Side Setback	Minimum rear setback	Miami Beach	7.5'	20'	Miami Shores	10'	15'	Key Biscayne	7.5'	25' (can be staggered to 15')	Coral Gables	5'	5'		% of front width required for side setbacks	Required minimum setback (total)	Minimum setback (each side)	% of front width required for side setbacks	Required minimum setback (total)	Minimum setback (each side)	% of front width required for side setbacks	Required minimum setback (total)	Minimum setback (each side)	Miami Beach	30%*	15'	7.5'	20%*	15'	7.5'	15%*	15'	7.5'	Miami Shores	40%**	20'	10'	26.7***	20'	10'	20%***	20'	10'	Key Biscayne	N.A.****	-	-	25%	18.75'	7.5'	25%	25'	7.5'	Coral Gables	20%	10'	5'	20%	15'	5'	20%	20'	5'
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				<p>the property line, either on both sides (50 foot lots) or one side (75 foot and 100 foot lots).</p> <p>Further, on the subject of setbacks, Mr. Steffens' letter says:</p> <p style="padding-left: 40px;"><i>“Doing simple math on a 50 by 100 foot lot, it is impossible to fill the allowable area, within the setbacks with a one story home, to do so you would end up with a rear setback of approximately 15 feet. Calculate the permitted areas on a two-story home and the rear setback would be closer to 45 feet.</i></p> <p style="padding-left: 40px;"><i>The opportunity given to the architect in the distribution of the setback areas to one side or the other allows greater use of the small pieces of property and actually will provide greater setbacks for incompatible situations if the current code is used in the correct manner.”</i></p> <p>We would like to respond to these points:</p> <p style="padding-left: 40px;"><i>“It is impossible to fill the allowable area within the setbacks with a one story home.”</i></p> <p>We confirmed with Dennis Smith, Assistant Director of the Building and Zoning Department, that <u>indeed it is possible not only on a 50 by 100 lot, but also on larger lots for both a one-story home as well as a two-story home to extend to within 5' of side and rear if it exploits interior courtyards and pools, breezeways and open porches that currently do not count at all in terms of lot coverage.</u> (The much-discussed house at 767 Minorca--at the corner of Alhambra and Cortez--has a 5' setback on the east side and a 5' rear setback on an approximately 8,000-square-foot lot.) Coral Gables' front setback is a minimum of 25', with no maximum requirement, so someone could set their house way back on the property, within 5' of the rear property line and 5' of each side. Even if the entire lot is not built to the setbacks, two of the three neighbors (sides and back) are impacted by the 5' foot setback.</p> <p style="padding-left: 40px;"><i>“The opportunity given to the architect in the distribution of the setback areas to one side or the other allows greater use of the small pieces of property”</i></p> <p>On a 75 by 100 lot, the total required setback on both sides is 15'; on a 100 by 100 lot, it's 20'. Instead of having a setback of 7.5' or 10' on either side, if the architect distributes 5' on one side and 10' on the other, or 5' on one and 15' on the other, the fact that the neighbor on the further side enjoys the benefits of this distribution will be of scant comfort to those who live on the closer side, a problem exacerbated if it's a two-story home looming over them.</p> <p style="padding-left: 40px;"><i>The flexible distribution “actually will provide greater setbacks for incompatible situations if the current code is used in the correct manner.”</i></p>

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				<p>Why isn't the code already being used in the correct manner? Who will ensure it will be? Are there objective guidelines for "incompatible situations" and "correct manner" or are they open to subjective interpretation? Vague and imprecise standards will not withstand judicial review.</p> <p>All of us engaged in the discussion about the problem with overscaled homes -- whether elected officials, city staff, volunteer boards, architects, engineers and other professionals who make a living designing and building houses in Coral Gables, or residents trying to protect the quality of life in their own homes and neighborhood -- bring valuable ideas and important perspectives. This is a complex problem, and the solution may well require a combination of approaches, including the historic designation and neighborhood conservation that Mr. Steffens suggests. <b>In this mix, increased setbacks and other measures important to residents deserve accurate representation and strong consideration, because they so immediately and tangibly impact privacy, light and air, without which we cannot consider our homes truly livable.</b></p> <p>Sincerely,            Daniel Fryer &amp; Mamta Chaudhry-Fryer            640 Majorca Avenue            Coral Gables, FL 33134</p>
23.	06 21 05	Susan Lacey	<a href="mailto:Susan_us_00@yahoo.com">Susan_us_00@yahoo.com</a>	<p>Dear Sirs:            I am writing to protest your plan to ban feeding stray cats and dogs. Don't you have any bettering things to do? Why not address more pressing issues such as overcrowding, bad street drainage, lack of open space (when did the city get a new park?), unlicensed vendors and I could go on and on.            Leave the poor cats and dogs alone. Better yet, work with groups like Cat Network and the Humane Society to promote adoption and stay and neutering services.            To good, not evil. Don't criminalize otherwise law-abiding citizens.            Susan J. Lacey            Coral Gables resident since 1989</p>
24.	06 21 05	Susan J. Lacey	<a href="mailto:Susan_us_00@yahoo.com">Susan_us_00@yahoo.com</a>	<p>Dear Sirs:            I am writing to vigorously protest any plan to prohibit feeding stray cats in Coral Gables. Do you want to criminalize otherwise law-abiding citizens? I've lived in Coral Gables more than 15 years and this is the most idiotic idea I've heard.            Why not focus your attention on more pressing issues. These include the paving over of every square inch of green space in the so-called "City Beautiful," pedestrian safety, lack of new parks, overcrowding, poor drainage of streets during rain storms, and I could go on and on.            Leave the poor cats alone. Better yet, why not partner with organizations like Cat Network and the Humane Society to help these starving creatures? And dogs too. Promote spaying and neutering to reduce the stray population. Provide vouchers to Coral Gables veterinarians to spay</p>

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				<p>and neuter strays. Remember, if not for the grace of God, you too could be hungry and wish for a kind person to feed you. Do good, not evil. Be compassionate, not mean-spirited. Susan J. Lacey Coral Gables</p>
25.	06 20 05	Heber Vellon	<a href="mailto:hvellon@yahoo.com">hvellon@yahoo.com</a>	<p>Dear Planning and Zoning Board: I've lived in Coral Gables for about 15 years and owned property for nearly a decade, so I've seen plenty of idiotic ideas floated over the years, many of which, unfortunately, came to fruition. The plan described in The Herald over the weekend to ban the feeding of strays in Coral Gables, however, takes the prize. Last time I checked, we still lived in a free country. We already have too much government intrusion in our lives as it is. If someone wants to feed a stray, they should be able to. Let's focus on the real problems in our city, including overdevelopment, traffic congestion, lack of open space, graffiti, dangerous intersections, the bums and crackheads wandering US 1, and other real issues. Sincerely, Heber Vellon Coral Gables, Florida</p>