



To: Jane Tompkins, Charles Wu, Ramos Trias

From: Craig E. Leen, City Attorney for the City of Coral Gables

A handwritten signature in blue ink, appearing to be "CL", is written over the name "Craig E. Leen".

RE: Legal Opinion Regarding Continuance For Paseo De Riviera

Date: July 28, 2015

The City Manager asked for my legal opinion regarding the continuance being requested for Paseo de Riviera. It is my understanding that the applicant has requested a continuance until the August meeting, and that there will only be four Board members present at the July meeting. In these circumstances, the continuance must be granted automatically as a postponement, as there are only four Board members at the upcoming meeting. *See Zoning Code, Sec. 2-203(B)* (granting right for applicant to postponement when only four Board members are present). The applicant can be informed now, and the Board should be informed at the beginning of the meeting. The Board would not have any discretion to hear the matter in these circumstances. This opinion is issued under section 2-702 of the Zoning Code and section 2-201(e)(1) and (8) of the City Code.

Herbello, Stephanie

From: Leen, Craig
Sent: Tuesday, July 28, 2015 7:37 PM
To: Herbello, Stephanie
Cc: Ramos, Miriam; Figueroa, Yanneris
Subject: FW: Continuance for Paseo de Riviera

Please publish.

Craig E. Leen, City Attorney
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City, County and Local Government Law*
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Coral Gables, Florida 33134
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FLORIDA

Celebrating 90 years of a dream realized.

From: Leen, Craig
Sent: Tuesday, July 28, 2015 6:37 PM
To: Tompkins, Jane; Wu, Charles; Trias, Ramon
Cc: Swanson-Rivenbark, Cathy; Ramos, Miriam
Subject: Continuance for Paseo de Riviera

The City Manager asked for my legal opinion regarding the continuance being requested for Paseo de Riviera. It is my understanding that the applicant has requested a continuance until the August meeting, and that there will only be four Board members present at the July meeting. In these circumstances, the continuance must be granted automatically as a postponement, as there are only four Board members at the upcoming meeting. *See Zoning Code, Sec. 2-203(B)* (granting right for applicant to postponement when only four Board members are present). The applicant can be informed now, and the Board should be informed at the beginning of the meeting. The Board would not have any discretion to hear the matter in these circumstances. This opinion is issued under section 2-702 of the Zoning Code and section 2-201(e)(1) and (8) of the City Code.

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