



To: Ramon Trias, Development Services Assistant Director for Planning

From: Miriam Soler Ramos, City Attorney for the City of Coral Gables

MSR

RE: Legal Opinion Regarding 515 Casuarina Concourse / Pool Setback

Date: February 17, 2022

Ramon,

Further to our conversation with Lauren and Mario yesterday, I have reviewed the memorandum provided by them, as well as Lauren's email.

I concur with their analysis that a variance is not necessary for the new pool to be placed between the house and La Rampa street because the house is on Casuarina and not La Rampa. This is evidenced by the fact that the front of the house faces Casuarina and also by the fact that the property address is 515 Casuarina Concourse.

Section 5-108.D states in relevant part "that in no case shall the pool be located closer to a front street line of a lot or building site than the main or principal building is located." In this case, the front-line street is Casuarina and the house is clearly closer to that street than the proposed pool, as the proposed pool sits between the back of the house and La Rampa.

This opinion is issued pursuant to Sec. 14-107.2 of the City's Zoning Code.

From: [Ramos, Miriam](#)
To: [Paulk, Enga](#)
Subject: Fwd: 515 Casuarina Concourse / Pool Setback
Date: Thursday, February 17, 2022 10:17:37 AM

Enga, please format and prepare for publication. I can sign on Tuesday when I return to the office.

Thank you,

Miriam Soler Ramos, BCS
City Attorney
City of Coral Gables

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From: Ramos, Miriam <mramos@coralgables.com>
Sent: Thursday, February 17, 2022 10:16 AM
To: Kahn, Lauren
Cc: Trias, Ramon; Garcia-Serra, Mario
Subject: Re: 515 Casuarina Concourse / Pool Setback

Ramon,

Further to our conversation with Lauren and Mario yesterday, I have reviewed the memorandum provided by them, as well as Lauren's email.

I concur with their analysis that a variance is not necessary for the new pool to be placed between the house and La Rampa street because the house is on Casuarina and not La Rampa. This is evidenced by the fact that the front of the house faces Casuarina and also by the fact that the property address is 515 Casuarina Concourse.

Section 5-108.D states in relevant part "that in no case shall the pool be located closer to a front street line of a lot or building site than the main or principal building is located." In this case, the front line street is Casuarina and the house is clearly closer to that street than the proposed pool, as the proposed pool sits between the back of the house and La Rampa.

This opinion is issued pursuant to Sec. 14-107.2 of the City's Zoning Code.

Sincerely,

Miriam Soler Ramos, BCS
City Attorney
City of Coral Gables

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From: Kahn, Lauren <LKahn@gunster.com>

Sent: Wednesday, February 16, 2022 8:17:57 PM
To: Ramos, Miriam <mramos@coralgables.com>
Cc: Trias, Ramon <rtrias@coralgables.com>; Garcia-Serra, Mario <MGarcia-Serra@gunster.com>
Subject: 515 Casuarina Concourse / Pool Setback

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

Hi Miriam,

Following our call regarding the pool setback for the property located at 515 Casuarina Concourse, please find attached the memorandum we drafted in 2020 when the pool location was being reviewed as part of the Master Building Permit. Note, that the previous version of the Zoning Code is cited, but the current version includes the same language referenced in our memorandum. The Zoning Comment that was received in connection with the pool building permit states that “Per Section 3-300 Accessory uses, no accessory building or structure may be located in the area between the street and the main residential building or any part thereof...” However, Section 3-301.C reads as follows: “In no case shall an accessory building or structure be located closer to the ***front or side*** street of a lot or building site than the main or principal building; with the exception of fountains, reflecting pools, planters and flagpoles.” (Emphasis added).

I’ve attached a copy of the memorandum which includes the site plan, as well as the relevant Zoning Code excerpts as exhibits. If you need anything further in order to confirm in writing that the proposed pool placement complies with the zoning regulations, please feel free to email or call me.

Thank you,
Lauren



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