



To: Dona Spain

From: Miriam S. Ramos, Deputy City Attorney for the City of Coral Gables *MSR*

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

RE: Legal Opinion Regarding Historic Wall

Date: July 29, 2016

The new owners of 2715 Toledo Street want to build a Coral rock wall to match the existing historic wall and the City is requiring that it be 5 feet tall. Normally, this would require a variance. The Historic Preservation Officer has stated that she would recommend in favor of the variance but asks if one is needed since it is a requirement that the City is imposing.

It is the opinion of this office that the building of the 5 foot Coral rock wall does not need a variance, as it is being required by the City, is a historic preservation matter and serves a public purpose.

This opinion is issued pursuant to Sections 2-201(e)(1) and (8) of the City Code and Section 2-702 of the City of Coral Gables Zoning Code.

7/29/16

From: Ramos, Miriam
To: Paulk, Enga
Cc: Leen, Craig; Suarez, Cristina
Subject: RE: 2715 Toledo Street
Date: Friday, July 29, 2016 11:47:44 AM
Attachments: [opinion re historic wall.docx](#)
[image002.png](#)
[image003.png](#)

Enga, please see opinion attached for publishing.

Thanks,

Miriam S. Ramos, Esq.

Deputy City Attorney

City of Coral Gables

405 Biltmore Way, 3rd Floor

Coral Gables, FL 33134

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(305) 460-5084 direct dial

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From: Leen, Craig
Sent: Wednesday, July 27, 2016 5:05 PM
To: Ramos, Miriam
Subject: FW: 2715 Toledo Street

Please draft a short opinion and issue.

Craig E. Leen, City Attorney

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City, County and Local Government Law*
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From: Leen, Craig
Sent: Wednesday, July 27, 2016 5:04 PM
To: Spain, Dona; Ramos, Miriam
Subject: RE: 2715 Toledo Street

In my opinion, it does not need a variance, as it is being required by the City, is a historic preservation matter, and serves a public purpose.

Craig E. Leen, City Attorney

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From: Spain, Dona
Sent: Wednesday, July 27, 2016 4:34 PM
To: Leen, Craig; Ramos, Miriam
Subject: 2715 Toledo Street

Hi, Craig – I have a question about this property. The new owners wants to do a 5' coral rock wall to match the existing historic wall. I was going to recommend in favor of a variance, since we are requiring him to do the 5' wall. Do you think this is a situation that you could say doesn't need a variance since it's something we're requiring. He'll comply with all the other zoning requirements like triangle of visibility, etc.

Let me know. Thanks.

CITY OF CORAL GABLES
CITY ATTORNEY'S OFFICE

OPINION REGARDING HISTORIC WALL

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