

City of Coral Gables City Commission Meeting

Agenda Item E-1

May 7, 2024

City Commission Chambers

405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Manager, Amos Rojas, Jr.

City Attorney, Cristina Suárez

City Clerk, Billy Urquia

Deputy City Attorney, Stephanie Throckmorton

Historical Resources & Cultural Arts Director, Anna Pernas

Public Speaker(s)

Wayne Pathman

Richard Heisenbottle

Peter Saliamonas

Bruce Bernstein

Arturo Fanjul

Doris Youmans

Anne Saliamonas

Karelia Carbonell

Agenda Item E-1 [12:10 p.m.]

An Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on March 20, 2024, to designate the property located at 1221

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Agenda Item E-1 - Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on March 20, 2024, to designate the property located at 1221 Milan Avenue, legally described as Lot 9, Block 39, Coral Gables Granada Section Revised, according to the Plat thereof, as recorded in Plat Book 8, Page 113 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

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Milan Avenue, legally described as Lot 9, Block 39, Coral Gables Granada Section Revised, according to the Plat thereof, as recorded in Plat Book 8, Page 113 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

Mayor Lago: Moving on to time certain, 11 o'clock, E-1.

City Attorney Suárez: Mayor, Item E-1 is an appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on March 20, 2024 to designate the property located at 1221 Milan Avenue, legally described as Lot 9, Block 39, Coral Gables Granada Section Revised, according to the Plat thereof, as recorded in Plat Book 8, Page 113 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark. Mayor and Commissioners, I'd like to briefly review the procedural posture on this matter. The property was designated historic in September of 2022 and that decision was appealed to the City Commission. As you all know, the City Commission heard the appeal and remanded the matter to the Historic Preservation Board with instructions to provide a more detailed explanation for its decision to designate or not designate. Pursuant to Section 14 and then it did go back to the Historic Preservation Board which did once again designate the property as historic and the property owner has appealed and that's why we are here today. Pursuant to Section 14-208.6 of the City Zoning Code, this appeal is based on the record of the hearings before the Historic Preservation Board and shall not be a de novo hearing. What that means is that no new or additional testimony shall be taken. This is an appeal based only on the record. As a reminder, your role in considering this appeal is whether due process was afforded, whether the Historic Preservation Board's decision was based on competent substantial evidence and whether the essential requirements of law were met. The Commission's role is to determine whether the Zoning Code was followed, whether there was competent substantial evidence supporting the decision of the Historic Preservation Board in approving the request for historic designation. After the Commission's review, the City Commission has four options, as we have discussed in prior appeals. The Commission can affirm the decision of the Historic Board which designated the property historic as a local historic landmark. The City Commission can affirm the decision with conditions. The City Commission can override the decision of the Historic Preservation Board, which in this case would mean the property shall not be designated historic, or as you know, the City Commission can remand for further proceedings with the Historic Preservation Board. The Mayor, as Chair of the Commission, with me as parliamentarian, has issued a procedural order that was provided in advance to the Commission and the parties. Pursuant to that procedural order, the appellant will be allowed 15 minutes for presentation, which shall be limited to the record before the Historic Preservation Board. Next, the Historic Preservation staff will be allowed 15 minutes for its presentation, which will also be limited to the record below. And next, there will be time for questions by members of the Commission, to staff or to the parties. Then, public comment will be allowed, but will be limited to two minutes per speaker. Because the review of this appeal is not de novo, public comment shall not be considered testimony in this case. Finally, there will be time for additional questions

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and discussion by members of the City Commission. Because this is a quasi-judicial item, if you've had any ex parte communications, those should be disclosed.

Mayor Lago: Thank you so much. Before the councilor begins, I've had ex parte communications with multiple members, interested members who will be here with us today.

Vice Mayor Anderson: I've received numerous emails.

Commissioner Fernandez: I received emails, phone calls. I've spoken to the applicant in the prior consideration of this item as well, and I've had residents who have called and spoken to me about this.

Commissioner Castro: The same here.

Commissioner Menendez: Same here.

Vice Mayor Anderson: Yeah and I didn't include the prior consideration. Yes, we did meet and talk.

Mayor Lago: Councilor, good afternoon, thank you for being here with us. The floor is yours.

Wayne Pathman: Good afternoon Mr. Mayor and Commissioners and staff. My name is Wayne Pathman, I'm with the offices of Pathman Law, located at 1 Biscayne Tower, 2 South Biscayne Boulevard. I'm here on behalf of the applicant, the Saliamonases. I would like to ask from the beginning that our presentation is a lot longer than 15 minutes. This is the fourth time that we're having a hearing on this matter, second time before the Commission. This is the most important thing to the Saliamonases, their home, and I would ask that we be given the time to put on our entire presentation.

Vice Mayor Anderson: So, I'm going to ask a question first. How many of us here watched the Historic Preservation Board's meeting?

Mayor Lago: So, again, as you probably witnessed in the Commission meetings, I'm pretty lenient in regards to presentation times and holding people to three minutes. I give you the necessary time that you need to speak, but let's also be considerate that we have other people who would like to, you know, put their interests on the record so.

Mr. Pathman: We're going to present. I'm just going to do a quick overview, then our expert Richard Heisenbottle will speak, then Mr. Saliamones, and then I will conclude.

Mayor Lago: That works.

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Mr. Pathman: Okay? Thank you. Thank you for both, all of you for your time. When we were last here, the Commission mandated the City of Coral Gables Historic Preservation Board find with specificity reasons to designate 1221 Milan as historic. Yet, you will see today that the Historic Preservation Board did not provide further support for their findings. We feel there is an overwhelming evidence that this home does not meet the criteria for historic designation. Further, support is not specifically identified in the staff recommendation. In fact, the staff recommendation is pretty similar, almost verbatim, as the original staff recommendation to the first hearing over a year and a half ago. What is in the staff recommendation? There's a lot of assumption, speculation and hearsay. Regarding the March 20, 2024 hearing, there are three main issues I'd like to address. First, the Historical Resource and Cultural Arts staff remain virtually unchanged -- the report remained unchanged from its first hearing. Second, the best evidence of the home's construction is the 1922 tax card, proving that the home was not built in George Merrick's vision as staff would like you to believe. The tax card, which I will show you a copy of what you saw last time, is a particular item that is really important to this hearing. A tax card is usually not issued until the house has been built. If you'll see in the tax card, which is a matter of record, and I have a copy of it here and I have copies I can give to everybody if you'd like to see, on the tax card it clearly says 1922. On the tax card, it clearly shows the outline of a house being built. Throughout the staff report and throughout the hearing in front of the HPB, staff maintained that the house was built in 1923 and 1924. Why? Because they were trying to fit the round peg into the square hole, and that is that this house was a house that was a George Merrick design and Mediterranean Revival. As you will hear today from our expert and what we put on before the HPB, it's not Mediterranean Revival. It was not part of that original design that George Merrick came to the City of Coral Gables to build. It was in fact a Spanish-style home that was built in 1922. Why is that important? And I want to emphasize throughout our presentation is that the entire staff report and everything that was presented to the HPB was based upon something from 1923 and 1924. Why? Because that's when Merrick began with his Mediterranean Revival style of building homes in Coral Gables or having homes designed in Coral Gables to meet that style. This doesn't qualify. It's Spanish style and not Mediterranean Revival. As I stated to the Board during the March 24 hearing, the integrity of the house has completely changed. Whether it was done with a permit or without a permit, that's really not in your purview. What's in your purview is that the condition of the house today, what does it look like? What does any of those original characteristics, are they still there? The house has gone through over 45 different changes from the time that it was built until about 10, 12 years ago when Mr. Saliamonas did some additional changes. It's important to understand that because one of the key elements is integrity of the house and whether or not it has been significantly changed and we'll get into that as we continue our presentation. Section 8-103 of the Coral Gables Zoning Code states a home must meet one or more of the several criteria for historical designation. In order to meet above criteria, a property cannot be significantly altered. You will hear from Peter Saliamonas, the owner, who has a great deal of knowledge about his home and its history. You will hear from our expert, Richard Heisenbottle, whose name and reputation precede him in terms of his knowledge of historic preservation. I would like to address some of the arguments made at the March 20th, 2024 HPB hearing. Staff report is premised on a home's importance to the Mediterranean Revival style and

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its relationship to George Merrick. And as I said earlier, this house does not meet that qualification because it was built prior to the institution of the Mediterranean Revival and prior to George Merrick having any interest in this neighborhood. This was built in 1922. The tax card is the best evidence, and that's a key element. There is no other evidence that was presented at the HPB by staff or anybody else saying that the house was built in any other era, or another year. It was speculation, it was assumption and hearsay. The tax card speaks for itself. Mr. Heisenbottle represented to the Board that this home certainly did not define Merrick's vision for the City, nor is this home an example of the Mediterranean Revival style. This early home, 1922, not 1923, displays characteristics of Spanish style and predated Merrick's vision of the Mediterranean Revival style. Mr. Heisenbottle, through presentation, argued that this home exemplified Spanish style initially, but underwent major alterations destroying its historical value. However, not a single board member asked for clarification on the evidence provided, and there was not a single request made by any board member for further clarification from Mr. Heisenbottle. Mr. Heisenbottle's presentation and expertise were not considered by the board members. Moreover, we believe the board member, Dona Spain, confused the two architectural styles and their significance. Ms. Spain stated the home possesses numerous character-defining features of a Spanish-style home, as argued by Mr. Heisenbottle, transcript page 35, paragraph 5. However, further down the page, she states, Merrick envisioned a Mediterranean-inspired city and thus the home is an example of Mediterranean style. Well, which is it? Is it Spanish style or is it Mediterranean Revival? It's Spanish style. However, I want to provide you with a few quick comments made on the record by Mr. Heisenbottle during the March 2024 hearing. Please note Mr. Heisenbottle will provide further details of his findings in his presentation. When we evaluate a home for historic designation, we must evaluate the home for its current architectural appearance. Again, I remind you that this house has gone on -- has had 45 different changes made to the house over the last 60 years. In my view, it is not eligible for historic designation. Why? Because it's totally lost its architectural integrity. Most of the facts stated by the Historical Resource and Cultural Arts Department in their report allege unsubstantiated findings. There is no reference to any treatises or any architectural digest contained within the report. It's all hearsay and speculation. They rely on an old newspaper article that they believe somehow incorporates this particular house, which it does not. They rely on unsubstantiated data saying that the house was built in 1923 and 1924. Yet, when proffered -- when asked, and I cross-examined, which I'll get to later, Anna Pernas, she refused and could not provide anything to show how or why they believed the house was built in 1923 and 1924. I ask that you remember throughout the presentation the definition of integrity and remember how that is to be applied in this scenario. Law Insider defines architectural integrity as the architectural elements, materials, color, and quality of the original building construction. And I emphasize original building construction. On our topic of integrity, I stated during the hearing that almost one-half of the entire report by staff, over ten pages, discusses the alterations to the home. That in and of itself is enough to say the house has lost its integrity. In fact, as testified to by Mr. Saliomonas, there have been 45 alterations to this house. That's clearly significant. I'd also ask you to remember the word significant because it comes up later in my presentation about what happened during the last hearing. However, the Coral Gables tax card provided to the HPB members during the 9/21/22 hearing and the 3/20/24

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hearing clearly shows the home was built before 1922. Again, it's so important to understand that because this document, the tax card, identifies a house already built. You typically only tax and create a tax card once something is completed, not before. At this point, I'd like to introduce our expert, Richard Heisenbottle. He will speak with regards to the Mediterranean style, the Spanish style, does this home qualify for historic designation. Then Mr. Saliomonas will give his presentation and I will wrap up with a conclusion. And at that time, I'm going to walk you through very quickly the transcript, just certain portions of what was said at the other hearing. I know many of you watched it, you just told me that, but I think it's important to identify some of the things that were said because, on cross-examination, ultimately the staff admitted that the house has gone through significant -- using the word significant -- alterations and they could not decipher between the two styles. With that, I'd like to introduce Mr. Heisenbottle.

Mayor Lago: Good afternoon, Mr. Heisenbottle. Thank you for being here.

Richard Heisenbottle: Thank you very much everyone. May I ask my associate here, Nina Caruso, who's our Director of Preservation Services at the firm, to be in charge of the slides today and keep me on track. For those of you that don't know me, my name is Rich Heisenbottle and I'm President of RJ Heisenbottle Architects. We've been in Coral Gables here for probably the last 35 years. As -- with our own firm with a specialty in historic preservation. And it's very unusual for me to speak against a historic designation. It's not what Rich does. You've seen me put up big fights over designating and saving buildings such as the Chalet Block downtown or the Coconut Grove Playhouse as an example. But in this case, I truly believe that staff has completely overstepped and exaggerated everything about this designation report. So, when Mr. Saliomonas and his wife asked me to review the historic landmark designation report that was prepared by staff, I agreed. Our review focused on analyzing the information presented in the staff report and assessing whether the criteria for historic designation was met. My analysis has concluded that the criteria justification for historic designation have not been substantiated by any means. We're going to go to slide two for the moment here, Nina, because this is a predicate to -- this is a predicate to how we make decisions as to whether we're even going to consider designating a building. Section 8-103 establishes criteria for designating historic landmarks or historic districts and states that buildings are significant if they possess integrity of location, design, setting, materials, workmanship, or association. In order to qualify for designation, in order to take the first step forward as a local historic landmark or historic district, individual properties must have significant character, interest, or value as part of the historical, cultural, archaeological aesthetic, or architectural heritage of the city. These are -- those are two important questions. And I'm going to ask you those questions if you don't mind. Does 1221 Milan, the way it exists today, possess integrity of design, setting, material workmanship, or association? The answer is absolutely no. Does the property have significant character, interest, or value? The answer is, once again, absolutely no, which to me means we shouldn't have gone any further forward. In addition to Section 8-103, the eligibility of a potential historic landmark shall be based on meeting one or more of the following criteria. Staff lists three criteria that it feels that the building -- that the home meets. We don't think so. Regarding the significance, criteria one, the home is supposed to portray

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the environment in an era of history characterized by one or more distinctive architectural styles. Staff's summary of significance claims that the building was built in the Mediterranean Revival style that defined Merrick's vision for the City. This home certainly did not define Merrick's vision for the City, nor is it an example of the Mediterranean Revival style. The early home, 1922, built in 1922, displays characteristics of the Spanish style and predates Merrick's vision of the Mediterranean Revival style. The Spanish style home is a result of the fact that its architect, Lewis Brumm, was a California architect who relocated to Florida bringing with him the Spanish style that he knew so well. So, Criteria 1 has not been met. Regarding Criteria 2, the home would have to embody a distinguishing characteristic of an architectural style period or method of construction. Staff's summary of significance claims that although the home has been altered, it possesses numerous character-defining features associated with the Mediterranean Revival style. The summary lists just about all the features one could possibly be associated with the Mediterranean Revival style. It calls them character defining. In my professional opinion, these features are not character defining or distinguishing characteristics of this home. Distinguishing characteristics are those marked by excellence or more conspicuous by excellence or made more conspicuous by excellence. There's nothing excellent about this home when we compare it to other homes within the Granada Section that are locally designated. Criteria 2 has not been met. Criteria 4 would require the home to exemplify the historical, cultural, political, economic, or social trends of the community. Staff's summary of significance for Criteria 4, historic cultural significance, does not clearly state how the home exemplifies a historic, cultural, political, or economic trend of the community. It just states that it does. The reader is left to guess, to surmise, that because the home was moderately priced, it is somehow part of a historical or cultural trend. No context for local, state, national, cultural, economic, or social trends is provided. To briefly mention the South Florida real estate boom is not enough to prove the point that because this home was moderately priced, it was part of a historical, cultural, or economic trend. There are no citations, no footnotes, no evidence to support the claim. Furthermore, staff states that the home was built as an archetype upon which Coral Gables was founded. This home, let me assure you, is not an archetype upon which the City of Coral Gables was founded. If it was, we would not be the great city that we are today. After evaluating this criteria professionally, I find that Criteria 4 was not met either. In my opinion, the home at 1221 Milan displays architectural features associated with the Spanish style, influenced by the 19th century Spanish territories in the Southwest United States. Lewis Brumm, an architect originally from California, was inspired by these Spanish -- this Spanish-style architecture. You can see it on the right-hand side of this slide. You can see the comparison between -- those are Spanish-style homes. They do not have the Mediterranean Revival influence in them, and they are directly from California. In its original Spanish style, the home represented characteristics of a distinctive architectural style, with distinctive characteristics of its period. However, with its 45 alterations in all -- and Peter is going to review each one of those, I'm not going to bore you with those -- the home has lost its architectural integrity by any measure. This is supported by the fact that staff's report dedicates eight pages to discussing alterations to the home between 2009 and 2011, calling them, quote, "notable changes." Then the report discusses each change in detail, contradicting staff's point that, quote, "it possesses significant integrity for the designation." When evaluating a home for historic designation, we must evaluate it for its

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current architectural integrity. We cannot designate a home based on its original design and how it used to look unless those changes have gained historic significance over time and are truly worthy of designation. Now, when you look at these changes in a few moments -- and Peter's outlined every one of them in red for you -- there's one thing you can be assured of. They didn't gain any significance over time that would justify staff's suggestion that they have design integrity. Let me demonstrate a little bit more in depth here the errors in staff's report. I believe that staff's selection of the eight homes on Milan Avenue is completely arbitrary. First and foremost, 1221 Milan was built in 1922 as indicated on the tax card. This is the only substantiating evidence for when the home was built. Staff references 1923 and 1924 in their report and suggest that the tax card is wrong. They have no other evidence, just suggesting that the tax card is wrong. It doesn't appear to be wrong. The staff report emphasizes eight initial homes on Milan that were commissioned by Merrick. These initial eight homes on Milan Avenue come from 1924 -- excuse me, a September 24, 1923 Miami Herald article that reports that there will be 40 new moderately priced homes in the Granada Section and specifically mentions 12 on Ferdinand, 18 on Genoa, 8 on Milan, 6 on Capri, and 14 on Pizarro. There are two other newspaper articles, one on October 15th and one on November 1, 1923, reporting on several moderately priced homes being constructed in the Granada Section. In the last paragraph, on page six of the designation report, a ninth house, 1212 Milan, is introduced, leading to more confusion about whether there were eight or nine homes on Milan. But what is the point of staff trying to talk about these homes on Milan as if they were the first? I'm going to show you that they were not the first. Staff's point in trying to do this is to give them significance. If they were the first, gee whiz, they might just be significant. They're not the first. My research shows, according to the tax data, that one home was built in 1922. It's Peter's home. One home was built in 1923. Four homes were built in 1924. Three homes were built in 1925. The point of this analysis again is we're showing that Milan predates the newspaper article from 1923 and we're noting that these initial eight homes were constructed at different dates. If they were constructed at different dates, then how can they be constructed -- how can they possibly be the initial eight when other homes were built in 1923, 24, 25, 26? To raise the question, as I said a moment ago, why is staff singling out these eight homes on Milan Avenue when there are also 12 on Ferdinand, 18 on Genoa, 6 on Capri, and 14 on Pizarro. They're all the initial homes. The first reference newspaper article of September 24, '23 suggests "30 new homes, moderately priced, and from new and original designs by George Fink, Martin Hampton, Lewis Brumm -- that's the architect of this house -- will be constructed in the Granada Section," end quote. The same article references, in the same article 40 new homes will be the first of a large number of residences to grow in the Granada Section. There is inconsistency even in this newspaper article about the homes being built and the time frame that the homes will be built. The October 15, 2023 newspaper article announces a new building campaign which involves the construction of 50 moderately priced homes. The houses -- all Spanish design -- were constructed by George Fink, Walter de Garmo, Hampton, Eamon, and Lewis Brumm. Emphasis on Spanish here. Here is yet another newspaper article on November 1, 1923, that states that plans for the homes will be drawn by George Fink, Richard Kiehn, Mark Hampton, leaving out any reference whatsoever to architects Brumm, de Garmo, and Eamon. Twelve homes will be erected on Ferdinand, 18 on Genoa, 8 on Milan, 6 on Capri, and 14 on Pizarro. Again, the point of this

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analysis is that there is no significance to singling out these eight initial homes on Milan Avenue referenced in the designation report as the initial homes. Rather, it is important to acknowledge that all the initial homes on Ferdinand Street, Genoa Street, Capri, Pizarro, and all the other 30, 40, 50, 58, or even more moderately priced homes were the original homes. Staff would lead us to believe that these initial eight homes were the initial homes. However, our analysis of the homes still standing on Milan today demonstrates that 38 homes were constructed between 1923 and 1926. Of the 38, only eight are historically designated, and only one of the original eight designated is classified in the initial homes listed by staff. Let's pause and review this chart for a moment. One home built in 1922, two homes built in 1923, eight homes built in 1924, 18 homes were built in 1925, nine homes built in 1926. As far as Criteria 4 is concerned, historic, cultural, political, economic trends of the community and making a case for historical and cultural trends, singling out one moderately priced home, 1221, and inferring that it is somehow part of a historical or cultural trend is purely conjecture when there are 38 other homes on Milan. And those are just the homes on Milan. Let's look at the Granada Section map for just a moment. If the staff and the board wish to highlight the importance of moderately priced homes, and to help save them, ultimately I recommend stepping back from this individual designation and directing staff to evaluate the eligibility of designating all the homes first mentioned in the newspaper article of September 24th as a historic district. You might consider calling it a cottage home district. You might call it -- you might take the entire Granada Section as a potential historic district, but don't single out an individual homeowner without the proper context. Moreover, when we view the Granada Section map in 1924, the entire area contains 50-foot lots, all likely intended to be moderately priced by Merrick. That's why they were the 50-foot lots. Here's a close-up of the previously mentioned streets indicating the homes built in 1924. An analysis of these initial eight homes on Milan shows that six appear to be consistent with the criteria for historic designation. One is already locally designated, one has already been demolished, and in my view, 1221 is not eligible for historic designation, should not be considered even as a contributing home if it was a historic district. Let's switch to a quick discussion of the Coral Gables Cottage criteria for a moment because staff tries to bring up the idea of the Coral Gables Cottage criteria to try to give this home significance. Staff believes that 1221 meets the criteria for Coral Gables Cottage and mentions the affordable homes becoming known as Coral Gables Cottages. Again, Section 8-202 of the City Code goes on to describe the criteria for designating cottage homes. Coral Gables must be -- Coral Gables cottage must be detached, single-family dwelling that is distinguished by its movement in plan, projection, recesses, asymmetrical arrangements of entrances, frequently employed surface ornament for embellishments, and at least 12 of the following specific features, which are original with the cottage. Right away, 1221 Milan does not meet the basic criteria or contain 12 specific features. We count four, I'm not going to bore you with them. My assessment finds that 1221 Milan does not meet the basic criteria and is disqualified immediately from being a cottage home. Furthermore, it only meets four of the 12 criteria required for designation as a cottage home. When compared to the other potentially eligible houses on Milan, or in proposed historic district, or the homes that are already designated, 1221 Milan lacks any degree of architectural integrity. The inclusion of a house such as this, which lacks architectural integrity, would harm the value of truly eligible properties. This would hurt the public perception of the

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quality and significance of what constitutes a Coral Gables landmark. To include -- to conclude, I do not believe that the criteria for the designation of historic landmark under the criteria of the City of Coral Gables Code has been met. 1221 Milan Avenue does not meet the basic criteria to make it eligible for local designation. It is not historically significant because it does not possess integrity of location, design, setting, materials, workmanship, or association. Furthermore, it does not have significant character, interest, or value as part of the historical, cultural, archaeological, aesthetic, and architectural heritage of our city. My conclusion also is that it does not meet Criteria B, architectural significance, Criteria 1 and 2 because 1221 Milan has simply lost all of its architectural integrity. I'm concerned that an attempt to designate a home that has lost nearly all of its architectural integrity is simply bad preservation practice and significantly lowers the bar of what is deemed to have architectural integrity or historic and cultural significance in the City of Coral Gables. If the board wishes to save moderately priced homes or cottage homes in the Granada Section, we recommend directing staff to evaluate it as a potential historic district and establish a clear period of significance between 1921 and 1926. Under that sort of criteria, 1221 Milan would not even be eligible as a contributing home in a historic district. Thank you very much and I'll be glad to answer...

Mr. Pathman: Thank you.

Mr. Heisenbottle: Any questions you may have.

Mayor Lago: Thank you very much. How are you, sir? If you could give -- please, because we have a lot -- we have a very, very packed schedule today.

Peter Saliamonas: I'll try to speak quickly.

Mayor Lago: Thank you.

Mr. Saliamonas: So, good afternoon, Mayor, and good afternoon, Commissioners. My name is Peter Saliamonas, along with my wife, Ann, and my two children, Gabrielle and Sarah, two out of the three. I'm sorry, Sarah and Nicholas, two out of the three, sitting behind me. We own the house at 1221 Milan Avenue. This has been an extremely trying time for my family. We're more anxious than we've ever been. You know, when we go for walks around the neighborhood, we mostly talk about what will happen with our home. And what put us in this situation? We made plans to build a new home. That's it. Made plans to build a better home. Ann and I have worked hard all of our lives, and we've contributed to our community. My wife's been involved in fundraising for the Coral Gables Community Foundation and serving many years on the PTSA. I was a volunteer coach at the Youth Center for many years as well. We've never asked, nor do we expect special treatment. But now as we look toward our future, our city that we love so much is telling us that either we have to remain in a home that cannot meet our needs or move somewhere else. I'd like to tell you why we need to build a new home. First of all, it's small and we'd like a bit more space. Our new home would be only 2,400 square feet, so family gatherings can shift

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Agenda Item E-1 - Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on March 20, 2024, to designate the property located at 1221 Milan Avenue, legally described as Lot 9, Block 39, Coral Gables Granada Section Revised, according to the Plat thereof, as recorded in Plat Book 8, Page 113 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

from our parents' homes to ours, so that there's room for grandkid visits, so if need be, there's room to take care of our parents. Is it correct for this City to deny us those needs? Secondly, our home requires massive amounts of repairs. To start, we need a completely new roof, new plumbing, new electric, and new windows. Eventually, we'll need to do something about the cracks in our exterior walls and our sinking floor, and it won't end there. We don't want to be forever sentenced to a home in need of constant repair. Renovating would be idiotic, as it would cost substantially more than rebuilding. And besides, what's the point? Our home isn't worthy of restoration. It has zero significance and lacks the number one reason people think a building should be saved, beauty. It's not ugly, but it certainly isn't beautiful. Like every home, it has a few architectural features. Is preserving those more important than my family's welfare and rights to improve our future living conditions? That is what the Historic Preservation Department is saying, but it's completely out of step with what residents want and is quite frankly unethical. The Historic Preservation Department wrote a long, drawn-out, unobjective, inaccurate report about my home, which I have no choice but to refute. At our first hearing, I meticulously demonstrated the numerous falsehoods, exaggerations, and misleading and unsubstantiated claims in the report. I won't go line by line like I did last time, but please ask me any questions about anything I've skipped over as I know my home better than anybody. First, I'd like to clear up a common misconception regarding the historic designation code. I need the PowerPoint presentation (INAUDIBLE). Thank you. Is it the middle button I click to go on to the one?

(COMMENTS MADE OFF THE RECORD)

Mr. Saliamonas: This one. Okay, thank you. I'm sure you've heard many times that, according to the Code, all that is need -- all that is required to designate a home significant is if it meets just one criterion, but that's wrong. What the Code actually states is that it needs to satisfy three conditions. One, it must maintain its integrity; and two, it must have significant character, interest, or value; and three, it must satisfy one of the other criteria of the Code. And this explains why the Historic Preservation Department's report, in order to justify designation, attempts to convince you that my home is something that it isn't. It needs to show significance. What's the point in claiming that my home is a Coral Gables cottage when it clearly is not? What's the point in claiming that my home is an example of Mediterranean Revival architecture when it's clearly just Spanish? What's the point in writing about the people associated in one way or another with my home when they're not significant figures because it needs to show significance? That's why the report can't speak only about my home's architectural features because architectural features alone does not satisfy the Code. So, if it were a Coral Gables cottage, it could have historical significance. If it was a Mediterranean Revival style home, it could have architectural significance. But since my home is neither, it lacks significance. My home shouldn't be designated simply because it lacks significance. If the Historic Preservation Department objectively reviewed the evidence and followed the Code, they would have stated from the beginning that my home lacks significance, therefore doesn't meet the Code, and therefore isn't eligible for designation. But they weren't being objective. There's nothing in our Code and nothing in the guidelines set in the National Preservation Historic Act that designates a home simply because of its age. But that's

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not all. A home also has to maintain its integrity, design integrity, workmanship integrity, material integrity. A home loses its integrity when there have been changes. Here are the changes to my home. This is the original plan, which we then darkened so that we could create renderings so you could see what it would look like from 1922. In some time before the 1940s, awnings were added, decorative feature removed from the parapet, front porch added. Originally, it was just a landing. Decorative features removed from a different part of the parapet. It was changed from screens to windows up to 1967. Shutters were removed, barrel tiles removed, decorative garage door removed. From 1979, casement window replaced by jalousie. The chimney had finished its operation sometime prior to 2009. Planter added. Window frame changed. Window opening reduced in size. S-tile roof added. Front porch enclosed. New stairs, new doors, new windows. New S-tile roof. These are the 20 changes only to the front elevation. From the west elevation, window removed. Loggia removed. Door removed. Casement windows removed, shutters removed, screen replaced by window, vase and pedestal removed, porch added, door added, window opening reduced in size. Nine changes just on the west elevation. Screened in porch added to the east elevation, French door added, detached garage attached, casement windows removed and replaced with jalousie, shutters removed, decorative window sill and hood removed, screen replaced by windows, barrel tiles removed, pyramid shaped parapet removed. These are the east elevation changes. For the rear elevation, the barrel tiles were removed, screened window removed, French door removed, porch enclosed, decorative vent removed, and finally, windows added. These are all the changes to the rear elevation. My home has undergone 45 indisputable changes in design, workmanship, and materials. In fact, there's little that's original with my home. Now the Historic Department will try to convince you that I'm the one who caused it to lose its integrity with only one change, enclosing the front porch. There are multiple problems with that statement, least of which is that the front porch itself was not original. Originally, it was just a small landing. So, how is it that I compromised the integrity of something that had already been compromised? Of the 45 changes, 40 of them were done before we bought the house. The alterations and loss of integrity began 80 years ago. Furthermore, as you just heard from Mr. Heisenbottle, our home was originally built was Spanish, not Mediterranean. The Historic Department also stated that my home is a good candidate to be restored to its original condition. However, doing so would create an enormous hardship. No value would be created by the enormity of the expense, and we'd be left with a home that doesn't fit my family's needs. We would have to remove the back room, detach the garage, resize all the window openings, reconstruct my chimney, relocate the side door, reconstruct the side loggia, change the S-tiles to barrel tiles and decorative features along the parapet, demolish our front room and recreate screened-in sleeping porches in the front and the back. It's a completely irrational demand. Is this the future of preservation in Coral Gables? Now I'd like to explain why my home is not a Coral Gables cottage. There are three reasons, each one individually sufficient to disqualify my home from being considered a Coral Gables cottage. Number one, as already pointed out, it was built in 1922, which predates Coral Gables cottage construction. Number two, it does not satisfy the Coral Gables Cottage Code criteria, I think only four of the required 12, as Mr. Heisenbottle stated. And its design is not indicative of Coral Gables Cottages. Regarding the year my home was built, the only evidence is a tax card and it's pretty clear 1922. The permit cards are illegible and in all the

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historical documents, there's nothing stating any date aside from 1922. Yet the Historic Department can't accept that, because if they did, they couldn't say my home was a Coral Gables cottage and then they'd lose their argument for significance. Since my home lacks significance and lacks integrity, my home's architectural features are irrelevant. But in case you're wondering, for the record, here's what the Historic Department says my house has. Here's what's actually on my home. Let's go one by one. Stucco is not original. It's difficult to show with photographs the different workmanship in the stucco, but I submit to you that these photographs represent the workmanship, which means -- different workmanship, which means that most if not all of the stucco is not original, which accounts for a huge loss in integrity of workmanship.

Mayor Lago: Sir, how many more slides do you have? How much longer do you think your presentation will take?

Mr. Saliamonas: I'm almost finished, actually.

City Attorney Suárez: If I could just ask, was all of this presented to the Historic Preservation Board, like the last slide and then these slides that you're showing us now?

Mr. Saliamonas: These were -- if I go back.

City Attorney Suárez: Are they part of the record below, is the question?

Mr. Saliamonas: Yes, because these were questions that were asked to Ms. Pernas by Cesar Garcia Pons, and she said these were all the features that were on my home.

City Attorney Suárez: Understood. But the question is, was this slide presented to the Historic Preservation Board?

Mr. Saliamonas: Was this exact slide on there? No, it was not.

City Attorney Suárez: So just remember, you're supposed to base your decision on the record below.

Mr. Saliamonas: Okay. Combination of roof types and heights, yes, but I'd submit that it's not the best example. Here's a good example that exemplifies the Code's intent. My home does not have a series of arched openings. These are homes with series of arched openings. It's not responding. Okay.

City Attorney Suárez: And Mr. Saliamonas, it's the same goes, you know, if any of this was not presented to the board, then if you could just please move through it because they're not to consider anything that was not presented to the board.

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Mr. Saliamonas: Okay. I may be a little confused on a different way to present something that was already presented and what's new.

City Attorney Suárez: So, there should not be, as we have discussed and your lawyers have been -- are aware, you should not be presenting anything new that was not presented to the board. This is intended to be a presentation of the arguments that were raised and what not and just like a summary, but really the Commission's consideration is of the record below.

Mr. Saliamonas: Okay. If you don't mind, I'll go through my slides. They're here, but I don't know exactly which ones were part of it and which ones weren't. I mean, all these pictures, for instance, have -- are from the previous presentation, at least on this one.

Mr. Saliamonas: So, if it was part of the previous presentation. That's fine.

Mr. Saliamonas: Okay. I think they all are. Okay. So here's the evolution of my chimney. You can see originally it had -- I'm a little bit -- had a Spanish style curve feature on top with diamond shaped cutouts. It lost the top feature sometime prior to the 1940s, lost the diamond shaped cutout sometime prior to 1979, and then sometime prior to 2009, the S-tiles were added on the roof. Here are good examples of wing walls. This is my home on the east side of the front. This is not a wing wall. In the rear of my home attached to what used to be the garage, there's a poor example of a wing wall not visible from the street. Here are all the roof tiles on my home. They're all S-tiles. They're not barrel tiles. These are the diamond-shaped vents. All the original casement windows were replaced with jalousie and my window sills are not original. As if they were, they would have been constructed in solid concrete like the masonry hoods. In conclusion, these are the four architectural features original with my home. Masonry hoods which are only on four of the 16 total windows, the two knobs on the arch of the front window, the diamond-shaped vents, and a poor example of one wing wall visible from the street. Most cities that I'm aware of, including Miami Beach, do not impose such a hardship on a property owner who does not consent to designation. Historically designated, our home would impose an unbelievable hardship on me and my family. Thank you very much.

Mayor Lago: Thank you so much.

Mr. Pathman: I will just try to summarize. At the hearing in front of the HPB, I asked Anna Pernas, the Historical Resource and Cultural Arts Director, the following question. It's on the transcript, page 20, paragraph 4. So, again, would you agree that the alterations were significant? Yes, comma, there have been significant alterations. So, if you look at the criteria that's been presented and that you'll hear from your own staff, if you have significant alterations, then the integrity of the home has been destroyed and you should not be able to declare a house historic. I'd like to just quote Warren Adams, your former director, who said, as noted to qualify for designation as a historic landmark, a property must possess certain criteria. It must possess integrity. It must have significant character -- of which this house has neither -- interest or value,

and it must meet one or more of the several criteria. In order to meet the above criteria, a property cannot be significantly altered. And that's from the Historic Preservation Board hearing on 430 Minorca on November 16, 2022. So, the point that I am trying to draw here is that you cannot have two different ways of enforcing your code saying, well, a house can be significantly altered and we can still declare it historic or if it's significantly altered, it cannot be declared historic. The truth is that the staff admits under my cross-examination that the House had significant restoration, has been significantly altered, and they spent 10 pages of 23, 24 pages of their report on discussing all of those alterations. You just saw Mr. Saliomonas put on a demonstration that there have been 45 changes throughout the history of this home. You are charged with looking at your own code and making sure the decisions of your lower boards like the historic preservation follow your rules. You may want to declare this historic, you may like to declare a lot of homes historic, but you still have rules that you have to impose. If in fact the house has been significantly altered, you cannot declare it a historic home. You have to take it as it is today, not what it could be, but what it is today. Anna Pernas stated during the HPB hearing, in conclusion, the single family home at 1221 Milan Avenue was one of the eight homes on Milan commissioned by former founder George Merrick in 1923. That just is not true. We have the evidence to show -- and it is the best evidence on the record -- it was built in 1922. It was not, as Mr. Heisenbottle demonstrated, one of the first eight cottage homes. The property tax bill, which you've seen numerous times, shows the house built in 1922. You must consider that in any decision you make as the best evidence before you. There is no other evidence of the lower tribunal that shows, or the lower board, that shows the house was built at any other time than 1922. I'd just like to take you briefly through some of the cross-examination questions that I asked of Anna Pernas at the lower hearing and then I'll conclude. I asked, "Are you familiar with the tax card showing that it's 1922?" "I have seen the tax card," Anna responds. I say, "Okay, are you familiar with what a tax card is?" She says, "Yes." "Okay, so you would agree that the tax card shows a building or a home being built as of 1922 as referenced on the tax card?" "Yes." I then say, "Well, but I'm asking you a question. What do you see on the tax card?" It says, "Yes, 1922." The reason I bring that up and I want to emphasize it is because the entire report never brings up 1922 as submitted by staff. It only brings up 1923 and 1924 because, again, they're trying to make this house something it's not. It wasn't built during that time. It was built in 1922 and we have an admission on the record in the HPB. Again, so what would be the best evidence of when that house was built? Would you agree? Given that the report was written by staff, she says, "I'm not sure." I say, "Well, again, what do you have from staff that would show it was built in 1922, '23 or '24?" "Hold on one second, please." She starts looking for things. She says, "I assume you knew what the report said because you signed it." At the time of the hearing, she didn't seem very familiar with the report that she had signed, so she wasn't actually sure what she was testifying to when she put on the record the things that she stated about the house, because on the record she says, I don't know. I didn't basically review or write the report. I just signed it. I then asked, "I assume you did it because you signed it." She says, so, in reaching staff's conclusion that the home was built in 1924-24, Ms. Pernas totally ignored the 1922 tax card. Mr. Mayor and Commissioners, that in of itself is evidence that the staff report is not accurate because the staff did not even consider the best evidence. My cross-examination continued on page 27. "Okay, but again, my question was the tax card. Do you agree

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that if Merrick acquired it in '23, that's when he built the house?" "I'm trying to find the date that the permit was pulled. Apologies." "Okay. I would stipulate that if the tax card is already out, the permit had to be pulled prior to that. That's how it typically works in the system. So as I showed you before, the tax card shows the house already on the graphics of the tax card. So, that is clearly the best evidence that a house was built in 1922, not 1923 or 1924." She says, "Again, we've seen discrepancies because -- between those." I asked, "Do you have any specifics?" I said -- I asked Anna Pernas to provide specifics as to when 1221 Avenue was built, considering the existing 1922 tax card. She didn't have any. The only thing she relied upon over cross-examination was the newspaper article, which you heard Mr. Heisenbottle completely refute, that it doesn't reference this house. It has nothing to do with this house. But yet, in the report given to the HPB, again given to you, it has no relevant evidence, nothing that talks about this house and its Spanish style, not Mediterranean Revival, or when it was built. To me, that's gross error on behalf of the staff to try to persuade the Board and you that this house meets some kind of qualification of Mediterranean Revival when it does not. Lastly, I just, as far as the cross-examination, I'd like to just say that I asked Anna, you have to accept the house today when you're designating something as to the condition the house is in now, which is the correct standard, whether it was done with a permit or not. And she says, right. So, here you have your director, your officer, saying that the standard is you accept the house today. We have put on ad nauseum evidence at both the HPB and here today that it does not meet the standards. Nothing has been refuted. The HPB never asked any questions. The staff never refuted what Richard Heisenbottle put on the record in connection with the standards to be applied, the integrity of the home, and all the alterations. I asked her, "So again, would you agree that the alterations were significant?" She says, "Yes, there have been significant alterations."

Mayor Lago: Thank you, sir.

Mr. Pathman: I'd just like to conclude with the best evidence presented today is the tax card. You must consider when the house was built, because everything in the report talks about '23 and '24. The staff report relies on the home being built at that time period. Staff is not willing to acknowledge the home was built on or before 1922. Why? Because it's evidence that 1221 Milan Avenue is not a George Merrick Mediterranean Revival home. The 1922 tax card undermines the argument for historic designation. This home was designed in a Spanish style, as our expert explained. This home was not part of Merrick's plan. It is not a Mediterranean Revival. It does not have any historical integrity and was built at a time before George Merrick designed the Mediterranean Revival homes in that area. The HPB has failed to follow your mandate in specifically identifying why this house should be designated historic. For all the reasons stated in our presentation, you should find that the historic designation of this home is improper because the best evidence shows the house was built in 1922 and has not retained its architectural integrity. I would ask that I be given some time for rebuttal later. A few minutes.

Mayor Lago: Thank you.

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Mr. Pathman: Thank you.

Mayor Lago: Staff?

Historical Resources & Cultural Arts Director Pernas: Good afternoon, I think, Commission. Can I please have the staff report? Thank you. Anna Pernas, Historic Preservation Officer for the City of Coral Gables. Just because we have kind of gone over this timeline, I'll try to be brief with my presentation.

Mayor Lago: Take your time.

Historical Resources & Cultural Arts Director Pernas: To begin, I would like to present a brief timeline to refresh your memory on the case history. The current owner purchased the property located in 1221 Milan Avenue in 1998. In June 2021, the owners filed for an after-the-fact building permit to legalize front porch enclosure and other work. The permit was reviewed and denied by all required reviews. On June 27, 2022, the owners filed an application for the historic significance determination in order to demolish the home. All demolition permits for non-designated buildings and/or structures must be approved by the Historic Preservation Officer or their designee. This may be required review by the Historic Preservation Board if the building and/or structure to be demolished is eligible for designation. On August 1st, a historic significance determination letter was issued stating that the property did meet the minimum eligibility criteria for designation as a local historic landmark. Staff's report for local historic designation for the property was presented to the HPB on September 21, 2022. At that time, the Board found the property met the designation criteria as outlined in the report and moved to designate the property. Following the results of the hearing, the property owner submitted a Notice of Appeal to the City Clerk. The appeal was heard by the City Commission on May 23, 2023 and a resolution was passed to remand the matter back to the Historic Preservation Board to further review the designation and to provide a more detailed explanation as to the reasoning for either designating or not designating the property as a local historic landmark. Staff met with the property owner and his team on different occasions over the last nine months before confirming a hearing date. On March 20, 2024, staff presented their report to the Historic Preservation Board followed by a presentation by the property owner and his representatives against the designation. Historic Preservation Board found the property met the designation criteria listed in the report and moved to designate the property. A transcript of the hearing is provided in advance of today's meeting. Many of the presentations you heard today including by Mr. Heisenbottle were completed -- were done at the Preservation Board and they did take that into consideration when making their motion. The property owner is appealing that decision today. As per the resolution of the City Commission at the May 2023 hearing, I would like to focus on the criteria for designation and the Board's recommendation. As per Article 8 of the Coral Gables Zoning Code, the purpose of the designation of historic landmarks and districts is to promote the educational, cultural, and economic welfare of the public by preserving and protecting historic structures or sites, portions of structures, groups of structures, man-made or natural landscape elements, work of art, or integrated combinations thereof, which serve as visible

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reminders of the history and the cultural heritage of the City. The criteria for designation of historic landmarks include a local historic landmark must have significant character, interest, or value as part of the historical, cultural, archaeological, aesthetic, or architectural heritage of the city, state, or nation. As a reminder, for designation, a property must meet one of the criteria outlined in the Code. In order to assess each designation, staff submits a detailed designation report establishing and defining the historic significance and character of the proposed historic landmark for review by the Historic Preservation Board. As the complete report has been submitted in advance of the meeting, I will provide a brief summary for the record today. Coral Gables was originally conceived as a suburb of Miami and attracted investors from across the nation during South Florida real estate boom in the 1920s. Its founder, George Merrick, drew from the Garden City and City Beautiful movements to create his vision for a fully conceived Mediterranean-inspired city, which is now considered one of the first modern planned communities in the United States. By fall 1923, Section F, which is highlighted here in purple, was significantly expanded. Merrick renamed it the Granada Section and redirected hundreds of workers to lay streets, sidewalks, and water mains. Milan Avenue was the southern border of that section and is the red line on the plat map. The single-family home, located at 1221 Milan Avenue, was designed in the Mediterranean Revival style by architect Lewis Brumm, a key member of Merrick's design team. It is a very early example of the Coral Gables Cottage prototype and was commissioned directly by George Merrick. The house represents Merrick's vision for the smaller, moderately priced homes built in the same high-quality construction and features as other structures that shaped the new city in the 1920s. In this slide, you can see the home over the last century. Visual assessment of the property along with review of permit documents and historic photographs indicate that there were minor changes to the character-defining features of the home prior to the unpermitted alterations by the current owner. A more detailed discussion of these unpermitted alterations is provided in the designation report. The Historic Preservation Board recognized that the building has been altered over its history but agreed that the historic integrity was not lost. The property continues to convey some of its original historic attributes. As presented in the report, the existing home currently possesses numerous character-defining features of the Mediterranean Revival style. These include but are not limited to textured stucco finish, combination of roof types, arched openings, Spanish-style chimney, detached garage with parapets to match, groups of round decorative vents, barrel tile roof, and recessed windows with protruding sills and masonry hoods. In summary, the single-family home at 1221 Milan Avenue was commissioned by City founder, George Merrick, in 1923. It is one of the earliest homes built in the City, was built in as an archetype upon which Coral Gables was founded, and while it has been altered, it is still clearly recognized as one of Merrick's early cottage homes designed in the Mediterranean Revival style. The Historic Preservation Board, after a lengthy discussion to clarify issues of the home, the date of construction and the changes that have been made to the home, voted to designate the property as presented in spite of the alterations based on the criteria found in the code. The complete motion was provided to you in the transcript submitted by the property owner as part of today's meeting materials. And as requested, the Board provided additional details to support their reason to recommend to designate the property. The motion passed 6-0. And just a brief summary, the motion was to designate based off the criteria below. It exemplifies historical, cultural, political, economic, and social

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trends of the community. It was agreed upon by the Commission that it's important to designate these small homes. This is not a huge home, but it absolutely exemplifies the trend of the community, particularly in Merrick's vision. He thought it was important to have the same architectural style in the larger and in the smaller homes, and it exemplifies that historic trend. It -- for architectural significance, portrays the environment in an era of history, characterized by one or more distinctive architectural style. It portrays an environment in an era of history characterized by one or more distinctive architectural styles. Merrick envisioned a Mediterranean-inspired city, and this is an example of Mediterranean design. I believe that it fits. And number two, embodies the distinguished characteristics of an architectural style or period or method of construction. Again, the motion included that the property embodies those distinguishing characteristics or architectural style or period of method of construction. Although it's been altered, it possesses numerous character-defining features of a Spanish-style home. Ms. Spain goes on to name the details existing on the house that were mentioned earlier. We ask that you uphold the designation of this property.

Mayor Lago: Thank you very much. Sir, do you want a minute if required?

Mr. Pathman: I'll be brief. Now, while I appreciate staff's hard work and what they do in terms of trying to designate properties, you did not hear anything that supports their findings. You did not hear anything at the HPB hearing that supports their findings. The best evidence presented today was by us. We completely and thoroughly demonstrated this house is Spanish style, was built in 1922, it's significantly altered, it lacks integrity, it is not one of the original cottage homes, it was not a George Merrick design, and it was not a Mediterranean Revival. That should be enough for you to deny the historic designation. Thank you.

Mayor Lago: Thank you very much. Mr. Clerk, do we have any public comment?

City Clerk Urquia: Yes, Mr. Mayor. First speaker is Ernesto Perez.

Unidentified Speaker: I think he stepped...

Mayor Lago: Did they leave any comments behind in regards to whether they are in favor or against?

City Clerk Urquia: No, sir.

Mayor Lago: Okay. All right. Next speaker.

City Clerk Urquia: Bruce Bernstein.

Mayor Lago: Good afternoon, sir.

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Bruce Bernstein: Hi. I'll give you a break to keep it short.

Mayor Lago: Thank you, sir. I appreciate that.

Mr. Bernstein: Hi, I'm Bruce Bernstein and I've been living in my house which is directly across from Pete's at 1208 Milan. I've been a resident -- I've lived in the house for 45 years. I've been a resident of Coral Gables for over 50 years, so I'm familiar, very familiar with that neighborhood, the style of houses, the changes that have taken place. His house at 1221 Milan isn't one that catches the eye. It certainly isn't a head turner or a historical landmark. It's not particularly unique and it lacks those standout architectural features that would make it unique. As for its Spanish detail, what is there is pretty minimal, as you can see, and it's been presented. Honestly, there's nothing new about it, nothing about it that is so special that it couldn't be replicated if they were to -- if you were to let Pete do what he wants to do and build a new structure there. And that seems to be what's happening in the neighborhood. A lot of these homes have been redone in an actual Mediterranean style, which adds value to the neighborhood, visual value, and which adds financial value and tax value too. Call it old, but calling it historical is a stretch, particularly since what's there now isn't what was there in the 1920s and it wasn't what was there when I moved there in the 1970s. I watched it like change. What really, and this is the important part, what really makes 1221 special and is worth preserving is the family that has lived there for decades and wants to continue living there. They're not just great neighbors, they're an integral part of our Gables community. That's what we should prioritize and be preserving. I'd really encourage the Commission to skip the historical label for this property. Thank you.

Mayor Lago: Thank you, sir.

Mr. Bernstein: I almost made it.

Mayor Lago: No, you're fine. Thank you, sir.

City Clerk Urquia: Arturo Fanjula -- Fanjul.

Mayor Lago: Mr. Fanjul, good afternoon.

Arturo Fanjul: Good afternoon. My name's Arturo Fanjul. I'm a resident at 902 Pizarro Street. I'm also an architect and friend of Peter since around roughly 1997. I grew up in Coral Gables. I grew up at 921 Malaga. My parents sold the house as soon as I got back from Catholic UND where I studied architecture, concentrated historic preservation for a semester and I did an internship at the Historic American Buildings Survey. So, I have great respect for what historic preservation does, but I think here they kind of missed the mark. That being said, I have worked with the Historic Preservation Department on several homes throughout my years here. And I have -- I met Peter when I lived on the Beach over the years, and then 12 years later, I'm back here, living in Coral Gables since 2012 with my family and my two boys. Ran into Peter at Publix,

and he says, "Hey, I got hit with a violation. I need an architect to help me out. Can you help me out?" So we started the process. First thing I asked him, "Is it historic?" He goes, "No, it's not." I go, "Well, let's double check." So we double check the manifest. The manifest, which is part of the historic reservations thing for publications, it's not in the publication. Obviously, when they designated the area, they overlooked it because, again, there's nothing seriously significant about the home. And that being said, I took on the case because I know it can get very complicated with historic homes. So, we came up with a conceptual design. We go in, we meet with the City, and the City architect says, hey, this is great, but take a look. You're asking for a full demo. Everything has to go through a Historic, and that's when the bomb dropped. And basically, my biggest concern here as a resident is the ability for a non-governmental board to put an imposition on a home that's not -- you know, they have no equity in it or whatever. That's the question that I have. I'm very much for historic preservation, but for the fact that a non-elected board can basically, any resident and any member of the staff can walk around the city and put an encumbrance or designate my property without my consent as the owner, I found that extremely appalling and kind of unconstitutional in many ways. Please allow -- don't designate it. Let this guy pursue his happiness, let him have his house, and let's move on.

Thank you.

Mayor Lago: Thank you, sir.

City Clerk Urquia: Doris Youmans?

Doris Youmans: May I talk here? It's hard to...

City Clerk Urquia: No, ma'am. I need you to speak on the microphone.

Mayor Lago: Thank you. You didn't give us your address also. Thank you so much.

Ms. Youmans: Doris Youmans, 1410 Milan. I just, please, I want you to reconsider the Saliamonas. And I don't understand how come the staff never brought up the most important evidence of the tax card and the alterations that were done before the Saliamonas purchased the house. So, I just think it's a -- it's going to be a better improvement to the City Beautiful, Coral Gables. And just those three things I need you to consider. Thank you.

Mayor Lago: Thank you very much.

City Clerk Urquia: Anne Saliamonas.

Mayor Lago: Good afternoon. Thank you.

Anne Saliamonas: Anne Saliamonas, 1221 Milan Avenue. I am the wife of Peter Saliamonas, and we've lived in this house since 1998. We fell in love with the house the minute we bought it.

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We've enjoyed living there. We raised three kids in the house. It was very tight, but we did not have financial means at the time to expand or do anything else, so we lived in the small house. Now the kids are almost out of the house, or for the most part out of the house, we would like to build something that we can live in for the rest of our lives. The house that we live in now is falling apart. We really need to make big improvements. We need to do a lot of construction. We would like to add a little bit of square footage so we could have our family and our grandkids come and visit us. We don't want to leave the Gables. We love our neighbors. We love our street. We love everything about Coral Gables. And it's really been a difficult time for us. As you can see, we've relied on experts from the City of Coral Gables, you know, because we just, we want to stay here. We want to stay in our location. We want to be in Coral Gables. We just -- this has been really hard for us and very stressful. So, I just want to -- I hope that you can consider where we're standing to, because we are the property owners and we've lived there for almost three decades. Thank you.

Mayor Lago: Thank you for being here. Thank you.

City Clerk Urquia: Mr. Mayor, last speaker is going to be on Zoom, and it's Ms. Karelia Carbonell.

Mayor Lago: Ms. Carbonell, good afternoon.

City Clerk Urquia: Ms. Carbonell? She is unmuted, so.

Mayor Lago: Let's give her a second.

Karelia Carbonell: (INAUDIBLE).

Mayor Lago: Yes, we can hear you.

Ms. Carbonell: Hello? Oh, okay. Okay. Yes, hello. I am calling on behalf of the board of directors of the Historic Preservation Association of Coral Gables. You have our letter on file, but we ask the City Commission to side with the Historic Preservation Board. They unanimously voted to designate the property. And please affirm the decision of the board to convey landmark designation to 1221 Milan Avenue, as recommended by the City's Preservation staff. The City of Coral Gables Preservation staff presented a well-documented report detailing the home's historical significance. The Historic Preservation Board concurred with the staff report and voted unanimously to grant historic designation landmark to 1221 Milan Avenue. With that said, I would like to just mention a few things, misconceptions. One is the old Spanish style versus Mediterranean. It really is a matter of semantics. Old Spanish was how these styles of architecture were known for. So, whether it's old Spanish versus Mediterranean, it really is the same style. And just recently, those two styles were kind of merged together officially. The other is the tax card. I keep hearing that the tax card, the tax card is one thing and basically incorrect. Well, tax cards are incorrect and I know from personal experience, many of the tax cards, number one, don't

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exist. And number two, have inadequate information. For example, many tax cards don't have the name of the architect. And that, for a historical significance perspective, that's important. But do we just throw away the tax card? We don't. You know, we understand that back then, unfortunately, there were -- you know, there were some errors. And then the last thing, which we haven't touched upon, and I know I'm out of time, but that home, the first homeowner, was Cyril Guest, and he was the police officer -- he was the first owner, and he was the police officer who was the first police officer who died in the line of duty here in Coral Gables. He is honored in D.C. on a national monument. And so, that house actually should, you know, have a marker somewhere, at least to mark that. But -- so that's how I wanted to end. And please consider affirming the decision of the Historic Preservation Board. Thank you.

Mayor Lago: Thank you very much.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: We'll close the public comment. Madam City Attorney?

City Attorney Suárez: Yes, Mayor. So, this is now your opportunity if the Commission has any questions for staff or the parties or the property owner or for any other discussion and then, you know, the options are to either affirm the decision, deny or remand has been done. I think that, you know, obviously, it's still an option if necessary.

Mayor Lago: So, what is the will of the Commission?

Commissioner Menendez: I do have a simple question or two for staff, at least a preliminary question if I could have -- just with my rudimentary knowledge of Coral Gables history, I would imagine, let me know if I'm right or wrong, that I would say early 1920s to mid-20s until we were incorporated, George Merrick basically commissioned everything.

Historical Resources & Cultural Arts Director Pernas: Largely.

Commissioner Menendez: I would imagine pretty much everything that was built, George Merrick. Is everything that George Merrick commissioned automatically fall into the category of historic?

Historical Resources & Cultural Arts Director Pernas: Every property that is considered for designation is looked at individually. We couldn't say that just because Merrick commissioned that house, it would be designated.

Commissioner Menendez: Okay. And my other question is, and I listened to Karelia when she spoke, and yeah, there are errors and mistakes and all kinds of documents that government issues. Have we been able to prove that the 1922 card, that that card was issued by an error.

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Historical Resources & Cultural Arts Director Pernas: So, part of the transcript that was provided to you today, during or after the cross-examination, Ms. Kautz, our Assistant Preservation Officer, did come to the board and explained that -- and if I could, I'll read it. I'll be very quick about it.

Commissioner Menendez: Sure.

Historical Resources & Cultural Arts Director Pernas: But that Merrick didn't own the Granada Section. In 1922, he hadn't yet acquired the land. It's in purple. It was in the slides that kind of showed Section F being expanded into. So, in September '23, the newspaper articles announced the start of construction of the Granada Section and the permit for this drawing and the permit drawings for this house, number 402, lists lot and block in the Granada Section, which didn't exist until after 1922 had passed. Therefore, we extrapolated that it was built post-'22 in 1923. So, there was evidence based off the drawings, the platting of the site, the development of this -- when the development of the site happened and also when the sales of the properties on that area were being done all in 1923.

Commissioner Menendez: So, my last follow-up question, is it -- but it is possible that a tax card was issued in 1922?

Historical Resources & Cultural Arts Director Pernas: Yes. We've seen that happen before and then permits aren't issued and construction doesn't happen until the year -- years later.

Commissioner Menendez: Thank you. Those are the only questions I have.

Vice Mayor Anderson: I have a few questions as well.

Commissioner Castro: I have one question.

Vice Mayor Anderson: I'll get your one question out.

Commissioner Castro: Okay.

Vice Mayor Anderson: And I'll do the follow-up.

Commissioner Castro: Would the change in construction date alter the historic designation?

Historical Resources & Cultural Arts Director Pernas: No. That was something that was discussed by the board and it's mentioned multiple times in the transcript as well that it was kind of semantics at this point, 1922, 1923, these are the early development stage of the City and would still be considered contributing.

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Commissioner Castro: So, the fact that it's '22 or '23 or '24 would make no difference in whether it is designated is what you're trying to say?

Historical Resources & Cultural Arts Director Pernas: Well, I think what we're trying to say is that within the period of the early 1920s through 1926 was one of a major development era for the City of Coral Gables and this property falls within that era. And so, 1922 construction date and the 1923 construction date, based off the information that we have about this specific property -- again, I look at them -- we all look at them individually -- was not a big factor that the board thought would alter their recommendation. They had the discussion and they found that either '22 or '23, it's still an important historic property for the City of Coral Gables.

Commissioner Castro: Okay.

Mayor Lago: Vice Mayor?

Vice Mayor Anderson: Yes, on page 20 of the transcript, you agreed with the question that there were significant alterations to the property, correct?

Historical Resources & Cultural Arts Director Pernas: Yes.

Vice Mayor Anderson: And what were those significant alterations that you were referring to?

Historical Resources & Cultural Arts Director Pernas: So, typically, any alterations at the front elevation are considered significant. That's something that we -- when we're reviewing additions to properties, historic designated properties, they're usually at secondary elevations. So, seeing something at the front elevation is not our typical historic modification to a building that we would allow, but it's something that still didn't mean that the building lost its integrity. It still reads as a Mediterranean Revival style and early cottage building and has the history of the development of the City that was backed up by the report.

Vice Mayor Anderson: What happened to the garage? Because I was looking at the photos.

Historical Resources & Cultural Arts Director Pernas: The door was removed at some point through the development of the period, and that's all within the report, was slowly added and then attached at the rear to the house.

Vice Mayor Anderson: Okay. What was the code violation for? Which addition?

Historical Resources & Cultural Arts Director Pernas: There was a platform porch that was added to the -- to that garage side elevation that now does not allow access to that garage so there's no covered parking on that property which the City of Coral Gables requires a covered parking spot. And then the addition to the front elevation, that covered porch that was added, was done without

permits as well. There may be other things listed in the code violation that I don't have at the top of mind but those were the biggest ones that I believe were not allowing for the permit to be approved because the property as it stands does not meet the Code -- the Zoning Code.

Vice Mayor Anderson: Okay. So, you have the garage being closed because I -- you know, we're the -- our city has cited folks for closing garages that were carports.

Historical Resources & Cultural Arts Director Pernas: So, this is a garage. This was always a garage.

Vice Mayor Anderson: It was always a garage.

Historical Resources & Cultural Arts Director Pernas: Yes.

Vice Mayor Anderson: With a door on it.

Historical Resources & Cultural Arts Director Pernas: Yes.

Vice Mayor Anderson: What happened to the door? Where is it? I don't see it.

Historical Resources & Cultural Arts Director Pernas: That was removed at some point.

Vice Mayor Anderson: Is it a room now or is it (INAUDIBLE)...

Historical Resources & Cultural Arts Director Pernas: I have not been inside the building.

Vice Mayor Anderson: Okay. You have the addition of a porch. Was that done with permit?

Historical Resources & Cultural Arts Director Pernas: No.

Vice Mayor Anderson: So, I really have a question for the City Attorney on this. Where there have been -- when a building has been significantly altered, can there be a substantial competent evidence to support a historic designation?

City Attorney Suárez: So, the competent substantial evidence would come from the evidence that's presented at the hearing before the Historic Preservation Board. So, it's with the testimony and staff reports, any documentation, any -- from all the parties. That could be considered competent substantial evidence. And so you've heard from staff that in staff's opinion, or what staff presented, that the significant alterations did not affect the integrity. And there's still -- the integrity remained.

Vice Mayor Anderson: So, is your answer that if there are significant alterations, it does not disqualify a building from being designated?

City Attorney Suárez: I am not the historic preservation officer, but I think it would -- what we're hearing is that it would depend. And I think in this case, she's saying her -- you know, what she's saying that she presented to the board below was that it did not in this case.

Vice Mayor Anderson: So, I'm going to ask Ms. Pernas then to articulate a little more clearly why the significant alterations do not disqualify this home for historic preservation.

Historical Resources & Cultural Arts Director Pernas: So, I guess I'm going to focus on the front elevation changes that are done because that's what we were more discussing as significant. Apart from them being done without permits, the way that they designate that the -- maybe we could put a photo up of the property. So, the enclosed front porch on the screened-in porch is something that happened early on. That was not part of the work that was done without a permit. The one with the knob corners. That's something also that the board has reviewed and approved at multiple occasions. We see them throughout the city that those porches are enclosed with glass and some sort of -- so it was handled sensitively. I think looking at the addition on the right side of the property where that whole front porch or platform was added to or enclosed, they're using similar materials, they're using similar roof style, they're using, you know, details that may have been appropriate to that style of building. So, it's still in a sensitive manner. So, it still reads as a, like I said, the integrity of the building, so it reads as a Mediterranean Revival cottage style. It may be different from and we can work with an applicant always to make modifications to buildings and we do that every single day. But they found that the way that it was done could also be reversed.

Vice Mayor Anderson: Okay.

Historical Resources & Cultural Arts Director Pernas: And multiple of the board members, one an architect and one a contractor, both said that reversing -- and it's in the transcript -- that reversing this would be less of an intrusion to the building than demolishing it.

Vice Mayor Anderson: I have no more questions.

Vice Mayor Anderson: Quick question. How do you determine the significant alterations? Is there like a threshold that I could say 10 out of, like scientifically, give me or is this a...

Historical Resources & Cultural Arts Director Pernas: It wouldn't be scientific. I think it's all done case by case, and so we kind of looked at the modifications. When we review -- when we write a report, we pull the permit history, we look at everything that was done with or without permits, try to understand from where the building -- when the building was designed and to the day that it is, you know, where it is today, what those changes have been and how those changes -- you know, we go back to that historic, that integrity of the building and that when -- and it was

discussed at the meeting was the integrity lost, is the building no longer recognizable, is it no longer, you know -- are you reading the Mediterranean Revival style, are you reading the cottage type, those are the things that we consider when we are looking at alterations to buildings and it was found within the evidence that was provided by staff, all the presentations you saw today, the board decided that they had substantial, you know, evidence to say that it still met the criteria.

Commissioner Castro: So, is there like a guideline just to know -- how do we know that we're being fair when we're determining this house and we're determining this house? And we're comparing the same characteristics or the same things that were altered? Is there anything?

Historical Resources & Cultural Arts Director Pernas: We typically look at these cases as individual cases. We're not designating one because the other one meets or does not meet criteria. So, that's why our reports are so thorough and give you a history from the beginning of the City to the -- you know, the condition of the building today. That report should be able to stand alone.

Commissioner Castro: Yes. And my other question is, so is it Med Revival style or is it Spanish? What is it?

Historical Resources & Cultural Arts Director Pernas: Something again that was discussed, but it kind of does fall under the umbrella of under Mediterranean Revival style, Spanish eclectic, all of those were terms that have been used for this beggar Mediterranean umbrella and those are inspired by Spanish, Italian architecture. You know, we find Mediterranean Revival describes it better for the City because that was the intent of the founder.

Commissioner Castro: Okay.

Mayor Lago: Commissioner?

Commissioner Fernandez: I guess my line of questioning was along the lines of what the Vice Mayor was asking regarding competent substantial evidence. The substantial changes that have been alleged here, the applicant said four of them were made since they owned the property or five of them. That includes, I'm guessing, the enclosing of the front porch and the addition to the step on the side which blocks the garage.

Historical Resources & Cultural Arts Director Pernas: I think he was mentioning the original details, the four or five, not the modifications. I'm sorry, I'm not sure.

Commissioner Fernandez: No, I think the modifications are included. So, the enclosing -- to the creation of that front...

Commissioner Castro: Porch.

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Commissioner Fernandez: Room, I guess, where the front porch, which wasn't a front porch before either now exists...

Historical Resources & Cultural Arts Director Pernas: This section.

Commissioner Fernandez: That area there was done since the current owner owned the house.

Historical Resources & Cultural Arts Director Pernas: Yes, it was done by the current owner.

Commissioner Fernandez: And same with the connection of the garage?

Historical Resources & Cultural Arts Director Pernas: I think there's a portion at the rear that was added by the owner as well. And this porch addition, I guess maybe that's what you're referring to too.

Commissioner Fernandez: To be honest, in having watched the Historic Preservation Board, I don't think really answered the questions that were sent back to them. I think they just revisited and made the same determination. I guess the buck stops here when it comes to these things and we're going to have to make the decision.

Vice Mayor Anderson: I may have a few more questions when you all are done.

Commissioner Fernandez: Go ahead.

Mayor Lago: Vice Mayor?

Vice Mayor Anderson: So, Ms. Pernas, the Historic Preservation Board is probably one of the most powerful boards we have in our city. They can do things with properties that, you know, setbacks and so forth that other properties can't, allowing larger additions to be put on, et cetera. Why can't this porch be legalized?

Historical Resources & Cultural Arts Director Pernas: The porch at the side elevation or the front porch?

Vice Mayor Anderson: Either one.

Historical Resources & Cultural Arts Director Pernas: The one at the side...

Vice Mayor Anderson: Talk about all the facts since we're trying to make a decision here.

Historical Resources & Cultural Arts Director Pernas: So, the porch at the side elevation would not be permitted because it blocks access to the original garage structure which would have -- it is

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required by the City Code to have covered parking. That garage was converted illegally at some point and does not meet code.

Vice Mayor Anderson: It's a closed garage. It's not even a garage anymore. It's plainly obvious; it doesn't have a door to it.

Historical Resources & Cultural Arts Director Pernas: But the City Code currently requires that there's covered parking on site and that closed garage was done illegally and would not have been permitted by the City.

Vice Mayor Anderson: Okay.

Historical Resources & Cultural Arts Director Pernas: And then at the front elevation, we just haven't -- I think the application was submitted, but looking at it as a whole, the board -- the part -- the City itself had rejected the application. They would just have to go through a process to legalize the front elevation and -- because I don't know if an architect or an engineer were involved in that construction when it was done and so does it meet, you know, our current building code requirements. I won't speak to that, but typically with a front elevation change, you would go through the Board of Architects process and none of those steps were taken in this.

Vice Mayor Anderson: I understand the steps weren't taken. When you go back to legalize something, you know, as built or the way it has been evolved, you know, you have a porch that's there. You have a garage that has been absent for a long time, they apparently pulled permit for that. We have homes of this era that have a carport on there. Instead -- this is a difficult case, okay? But I also agree that the Historic Preservation Board really didn't take the time, maybe it was due to the hour, because it was close to 9 o'clock when they were going through this record, and they just basically checked the boxes. I'm sorry. Go ahead.

Historical Resources & Cultural Arts Director Pernas: No, I was just trying to figure out -- I think that the hearing itself was over an hour and a half but...

Vice Mayor Anderson: No, I...

Historical Resources & Cultural Arts Director Pernas: For this specific item.

Vice Mayor Anderson: I know, I know, but as far as the board itself going through the details as to why this house still qualifies despite the significant alterations which has been admitted in the record as being significant alterations.

Deputy City Attorney Throckmorton: Good afternoon, Mayor, Vice Mayor, Commissioners. I sat with the Historic Preservation Board during this hearing and I would just note that we reiterated the guidance from this board to them as they heard at the beginning of this hearing and then again

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before their motions. And I believe it was in the transcript below that they identified specific features of the home that they found to be still existing and best met the criteria. So, I'm not sure if Ms. Pernas has the actual details of their motion, but you know, prompting that guidance, which we again reiterated to them. There were some more details and specific features of the home that they identified in making their motion. So, it may not be in accordance with exactly what you wished in making that remand, but it was reiterated to them and I believe that they expanded on what their normal motion would have been to include specific details of the home. So, again, it may not have been in accordance with exactly what you wish, but they did go beyond what they would normally do in a motion to identify specific features.

Commissioner Menendez: Regarding those details, how many details -- in a universe of details, how many details were still identified?

Historical Resources & Cultural Arts Director Pernas: Give me one second to run through that list.

Commissioner Menendez: And to use a sports analogy -- while I'm listening, I'm thinking of all kinds of analogies. Using a sports analogy, Bob Greasy was the quarterback of the undefeated Miami Dolphins. He was still the quarterback in 1975 but -- in 1979. But in 1979, they were not the undefeated Miami Dolphins, even if Bob Greasy was there. So, my concern is how many features are left today that were there in the beginning.

Historical Resources & Cultural Arts Director Pernas: So, the list that was provided to you that I had also reiterated in my presentation is about nine to ten items. It also depends if you're going to look at the type of architecture you're considering that is, you know, raised Mediterranean stucco, masonry construction. That's also part of -- so it depends on if you're looking at is the casement window still there? No. Is the opening -- some of the openings are original, or the openings have been altered. That is something we see again every single day. Had the property gone through the proper channels of, you know, modifying, we would have seen this at the Board of Architects or had been maybe notified earlier about these alterations.

Commissioner Menendez: All right. Thank you.

Mayor Lago: Anything else from the Commission?

Commissioner Castro: Can you explain to me what was the confusion between the 12 -- Milan 1212 and was that property, you don't know?

Historical Resources & Cultural Arts Director Pernas: I don't know. I just -- we put together a presentation of addresses and the development of that site and area and that's just one of the addresses that came up. I don't know if it's because maybe the numbers are similar. That was -- kind of came up in discussion once with Mr. Heisenbottle, but that's not my argument to make.

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Mayor Lago: Okay.

Commissioner Castro: Okay.

Mayor Lago: Anything else from the Commission?

Commissioner Menendez: No.

Mayor Lago: Okay. Mr. Pathman, do you have any comments you'd like to add?

Mr. Pathman: Yes, I do, Mr. Mayor. Thank you. First of all, I'm sitting here and I'm in a little bit of disbelief of what I'm hearing from staff. We have had three hearings, today's the fourth. We have thoroughly represented what is the best evidence, the best facts, the best documents, delineated styles, integrity, substantial alterations, and yet the staff continues to deny -- even though I cross-examined Anna Pernas who said, yes, there are substantial alterations, that is the standard to be applied that has been applied by that staff in other homes that were being declared historic. That it's how you take the house today. The fact that Mr. Saliamonas may have done a couple of alterations is not within your purview. You have to take the house today. Yes, he did them. They were wrong. But it doesn't change anything. You don't penalize him for that. You have to look at the house today. In addition, it's hard for me to fathom that when the Commissioner asked about the 1922 tax card, they still gave you hearsay, speculation, and no evidence, no documentation, nothing that supports their position. Why is a tax card so important? If you read the report, it never mentions it. It never says 1922. If it's so insignificant, why didn't they put it in the report? Why do they talk about 1923 and '24 and try to say that it's Merrick? It's not Merrick. It's not Mediterranean Revival. There is a distinction. I would bet everything I have that every major architect would say there's a distinction between Spanish style and Mediterranean Revival. The tax card speaks for itself. It's telling you, it's screaming at you that this is your record, your document that describes on that tax card the house that was built. It was built in 1922. You don't get a tax card with that design if it wasn't already built. Everything you just heard was speculation and hearsay. They don't have anything that supports their ultimate conclusion. And you got it right. The board didn't either. I said three times in that hearing, you are mandated by the Commission to find with specificity, the issues that make this house historic. They did not do that. And you cannot skip this. You cannot say, okay, they did it and now you're going to declare a house historic and create a huge hardship for a family that loves your city. I do a lot of historic preservation in many cities throughout South Florida and represent lots of homeowners, buildings, et cetera. This is not the way to do it. This hurts your design for historic preservation. Richard Heisenbottle is an expert who is typically working on behalf of cities and residents to create historic designation. He's telling you this is not the way to do it. The issues that they talked about, the garage, the porch addition, and so on, they got that wrong. You know, the fact that that was changed is a major alteration. But it wasn't just that. That was the only -- that was the violation. But for 50 years before that the house had been altered, 40 other times. Is that not substantial?

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Agenda Item E-1 - Appeal to the Coral Gables City Commission from the decision of the Historic Preservation Board on March 20, 2024, to designate the property located at 1221 Milan Avenue, legally described as Lot 9, Block 39, Coral Gables Granada Section Revised, according to the Plat thereof, as recorded in Plat Book 8, Page 113 of the Public Records of Miami-Dade County, Florida, as a Local Historic Landmark.

One alteration could be substantial. This one, 40. I implore you to look at this with the standard that should be applied, that you have to take the house as it is today. It's lost its integrity. It's Spanish Revival. It's not Merrick and it wasn't built in 1923 or 1924. Okay, this house was built in 1922 regardless of everything that they put in the report. It is unsubstantiated. The tax card speaks for itself.

Mayor Lago: Thank you, sir.

Mr. Pathman: Thank you.

Mayor Lago: Does the Commission have any other further comment?

Commissioner Menendez: No.

Mayor Lago: You have a comment? You have something else?

Commissioner Castro: Yeah, so there's a there's a huge possibility that this house could have been built and it wasn't even Coral Gables at that point. It didn't even belong to George. I think that's something.

Mayor Lago: Anything else?

Commissioner Castro: No.

Mayor Lago: Okay. So, Ms. Pernas, may I ask you a few questions? So, obviously, your statement -- and maybe you can help me walk through a few points that I want a little bit of guidance on. So, the 1922 document on the tax card is concerning to me. I'm not sure because I haven't seen it before, but they provided tax cards for pieces of land maybe that weren't purchased. How can we have that 1922 card? What have you seen? You said you have seen it before, that this has happened before. I'm not aware of an example that that is commonplace.

Historical Resources & Cultural Arts Director Pernas: Something that I think just to identify too was at the May 23, 2023 hearing before you, Carol Kautz, the Assistant Preservation Officer, also presented multiple different things against the issue with the tax card. It is something that our office has seen in the past. And just to go back to Ms. Karelia's comments that she has also seen these. This is not unaware, but I think there are times that those cards are created and dated, but then the permits and the drawings and the construction happen after the fact. And so that's where the drawings were dated and that was included in a slide to you again a year ago almost, but 1923. And what I've seen in the, you know, kind of understanding the development of Granada and when construction started, when sales of those properties started, it all happened in '22-'23 as well. And then one other thing, but I left my mind, apologies.

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Mayor Lago: Okay. So, my second point that I'm finding a little bit tough to navigate is the issue of the standards. What are the standards? And are we supposed to look at the property today or are we supposed to look at the property has in its evolution over the last multiple decades? So, as I look down, I took some notes just from my own personal review of the façade of the building. The door is, instead of being tucked away, it's prominently featured in the front. It has an archway. The roof now has tile, which it didn't have tile before. That's a predominant feature in Spanish design. And I apologize, my eyesight and my handwriting is not that good. But the windows, you had casement windows, and then you went from casement windows to jalousie, and then now you move back to a different style of window. The landing to me is also pretty significant. The first landing, and I'm going off memory from the design, it's a much smaller landing in regards to what you have now. The steps are also more significantly less in nature than they are now. The roof pitch looks completely different in the sense of the way the front of the...

Commissioner Castro: At the right, at the enclosed porch.

Historical Resources & Cultural Arts Director Pernas: Well, there's an enclosed porch now.

Mayor Lago: I'm talking about the façade, but I mean, again, it looks -- whether it was done legally or not, it looks completely different, the roof pitch. The Vice Mayor covered the garage. That was item number six for me. You don't have a garage. It's pretty significant. From my understanding is that there's only a handful, maybe two handfuls, excuse me, of homes in the City that do not have a carport or a garage. It's very limited. It's something that we discussed years ago. And I'm always looking around the Gables to find a house that doesn't have a garage. It's, you know, again, it's history. You don't see too many of those. And the chimney also was something that I found very interesting, the multiple iterations and how it's changed. The gentleman, the homeowner, showed about five or six iterations of the chimney, which to me show a significant change from a much simpler, very classical look to a more, you know, Spanish with a tile and it's more embellished in my opinion. And I think they took away some of the really nice design elements. There was a diamond that was inside the chimney that was -- you know, it wasn't just like a decorative feature, it was actually part of the chimney. From the picture that I could see, again, it's not, you know, when you see something face to face, you can see it working, you get a more of an impression of whether it's actually something that is just decorative or it actually serves a use. I mentioned the tile on the roof. So, to me, I see the standard, and we've talked about this many, many times before. But I want to bring something else into the conversation that I don't think anyone else here on the Commission can talk about because they weren't here -- they weren't here when this occurred. So, years ago -- and I asked the Clerk to look this up for me just to make sure I got the dates right, because this came to memory. Years ago on July 10, 2018, we had an item that was coming before the Commission. And it was brought before the Commission because staff wanted to designate a building in the City that the Historic Preservation Board had deemed non-historic. That property was LaSalle Cleaners. And that property was important in my opinion. I voted in favor of designation. I went against the board's recommendation to not deem it historic. The reason why I did that was because of George Merrick. That was George Merrick's office

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where he had his construction business. And over multiple years, that property evolved. It was a gas station. Mr. Clerk, what else was it?

City Clerk Urquia: I'm sorry, sir.

Mayor Lago: It was a gas station, and what else was it?

City Clerk Urquia: And then it became the LaSalle Cleaners.

Mayor Lago: No, there was something else in between.

Vice Mayor Anderson: A dry cleaner, yeah.

Mayor Lago: A dry cleaner, yeah, but that was...

Vice Mayor Anderson: Mechanic shop.

Mayor Lago: Yeah. So, it had multiple iterations, and when you look at the photos, you saw that, you know, the building that George Merrick had called home for so many years, that was again a place that, where he worked with all his architects to really design the City and build the City was no longer the gem that it was. But I still believed that I thought it was important to save it and bring it back to its original glory because of the simple fact that it was George Merrick's home of business, where the City was envisioned and where the City was refined and became the City Beautiful, in my opinion, and I think in the opinion of many. So, I voted to designate it, to go against the Historic Preservation's wills of not designating that building. I find myself in a very similar conundrum here. Because -- but on the other hand, I can't find a reason why to designate this property. And I see all the alterations and that's the same argument that was used why not to designate LaSalle. And that building carried a significant historic weight. I know the owners weren't very happy. When I was one of the votes, we lost. Obviously the building has been torn down, but it would have cost the owner millions and millions and millions of dollars to bring that building back to its original glory. And obviously, it would have cost them money because they wouldn't have been able to build whatever they want to build in the future there, a multi-story building. They would have had to keep the building in place. So, I bring that story up today because that's what I think about when I see this property. Should the owner have built what he built without permits? Of course not. That's not even -- you know, that goes without saying. We have rules and regulations here in the City and those should be abided. We should follow those. We should. And that's a shame because it's all incumbent on us to hold up our standards here in the City of Coral Gables. And I'm not reprimanding you or giving you a lesson. I think it's across the board because I've made mistakes and we all made mistakes. But at the end of the day, we've got to try to do what we can to uphold the quality of this property, of our city, excuse me. Even if he would have done that, does that mean that that building would have been historic? I don't know. Who knows? So, to me, I find myself in a kind of a catch-22 here because I harken back

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to the days of the LaSalle Cleaners vote and I'm trying to figure out a way, you know, a path moving forward, but I really don't see one. So, I just wanted to put that on the record because, you know, that was a property that, you know, I was a hero to the preservationists that day, but you know, maybe today I won't be but...

Historical Resources & Cultural Arts Director Pernas: Yeah, no, and I know that that's something that came up at the last hearing as well.

Mayor Lago: Oh, it did?

Historical Resources & Cultural Arts Director Pernas: Yeah, and that, and it -- and we kind of just go...

Mayor Lago: Oh, last year.

Historical Resources & Cultural Arts Director Pernas: One year ago. I do my homework because I've only been here 10 months now. So, I kind of went back to both the initial, the original Historic Preservation Board meeting, the Commission meeting, and then this last -- well, I was present at the March meeting. So, I understand that, you know, looking at the physical building and seeing those modifications, we designate properties with modifications every day. We review applications to modify historic buildings every single day and I think part of our role is to protect those buildings, to do it in a sensitive, appropriate way that the historic character of the buildings are not lost. That's something that, you know, we find that could be part of the process for this structure, having to run it if any of the violation cases had to be corrected. So, we also look at, you know, how big of an alteration or modification was made to that structure and could it be something that, you know -- again, we're reviewing it based off of what is existing today and we talked about that and the motion specifically talks about details of that today, but again, looking at the criteria, there is also -- you know, you look at the architectural significance and the style and then there's also the historical and cultural significance.

Mayor Lago: So, the next step for the Commission is nothing else. We would have to make a motion to either affirm the Board's recommendation or override. Does anybody in the Commission would like to make a motion?

Commissioner Fernandez: I just have another question. Following up on your point, you brought up a very good point. That 1922 tax card shows the, I guess, the...

Historical Resources & Cultural Arts Director Pernas: Outline of the building.

Commissioner Fernandez: The outline of the building. And that's true to what the construction was at the time, correct?

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Historical Resources & Cultural Arts Director Pernas: Yes.

Commissioner Fernandez: So, I guess the argument could be made that the house was built in 1922 before it became part of Coral Gables or at least was designed prior to becoming a part of Coral Gables. I guess that kind of affirms what the applicant is saying about the 1922. I mean...

Historical Resources & Cultural Arts Director Pernas: We have no evidence of that either. So it's not...

Commissioner Fernandez: I know (INAUDIBLE) -- yes.

Historical Resources & Cultural Arts Director Pernas: I wouldn't say there's evidence of that so.

Commissioner Fernandez: Right. There was another thing you brought up and I totally forgot now, but I think your point on LaSalle Cleaners, I know the battle that you had at that time to try to convince your colleagues on the Commission that it was historic and the arguments were -- that were made were the changes. I think going forward, obviously, it would not affect this. We should have a conversation about changes that are made to a property after somebody owns it and whether that affects the integrity of the property. That's something we can talk about later, but that's something you and I -- I would like to speak with you about. Maybe that's something that we can fix to make it easier when we get to these decisions. But I guess I'll make a motion.

Commissioner Menendez: I just want to make a comment before we vote. I think the 1922 card was not refuted. I know there are ideas thrown out there, but nothing goes to the heart of 1922 card. It's there. I also think that, like Vice Mayor said, we sent it back to the Historic Preservation Board hoping that today's decision would be a lot easier. And in fact, it's almost, I think, more difficult since then. And all along, I think these types of decisions, you know, like I used to do archery, the bullseye, the yellow in the middle. If we don't hit the yellow bullseye, then I think we should really hesitate on moving forward on certain items because then we're trampling on the rights of others. And to me, I wish this was a bullseye hit, but it's outside the yellow. So, I'm not comfortable going forward if it's off target.

Commissioner Fernandez: Who said that? He said, in this case, the pen missed the mark. And I think that's what we're seeing here.

Vice Mayor Anderson: So, I'm going to add just a couple of additional comments, you know, because it's illogical to me that you would have a tax card with a drawing of a building on it from 1922 and be assessed the taxes for a building that doesn't exist. It's illogical. Not to say that something can't be historic from 1922 for other reasons, but then you go down the bullet list of items that the Historic Preservation Board listed. The textured stucco finish. There's nothing in particular about a textured stucco finish that screams that it's historic. Unless you're using the

Phineas Paist colorized stucco or there's something very significant about it because most everything back in that area was, you know, we didn't have drywall. We used stucco overlap, you know, and that's the way these things were built. Combination of roof types, a flat roof, some barrel tile, although the barrel -- the S-type barrel tile could be changed back to the original. And that area could be mixed, but we don't have the various different layers that you typically see in Mediterranean design. Mediterranean design, I'm aware, is an eclectic type of design process because I've had spent some time with Teófilo Victoria, you know, and you could see the high-quality design that goes into and has been done that has been subsequently called Mediterranean Revival. But this is not the type of combination of roof types that typically go into a historic designated home. Series of arched openings. I see one on the front façade of any significance other than the one that was added after the fact. It's just a rounded opening. So, it misses the mark on series of arched openings. The distinctive arched opening facing the street. That's one item. The window has been altered multiple times. It's not as tall. Spanish inspired chimney, the Mayor's comment about that being significantly altered and non-functional anymore with the diamond cutouts is a significant alteration as well. The detached garage no longer exists. That's a very significant change on this home. So, you know, for that reason and others that are listed in here, a wing wall itself, these were not significant wing walls that you typically see in some of the historic designated homes. I think this one misses the mark as well. So, I'll second the motion.

Commissioner Castro: Yeah. There's speculation that the tax card could be incorrect, but there hasn't been evidence provided showing that the tax card is incorrect. With the evidence provided, there's a possibility that it wasn't even built in Coral Gables at the time, even Coral Gables -- was part of Coral Gables. So with...

Historical Resources & Cultural Arts Director Pernas: The report that has references to all of the materials that argument that it was built in '23.

Commissioner Menendez: But we have conflicting -- we have a tax card on one side.

Historical Resources & Cultural Arts Director Pernas: Right.

Commissioner Menendez: Other stuff on the other.

Historical Resources & Cultural Arts Director Pernas: And we recognize (INAUDIBLE) there.

Commissioner Menendez: Which leaves doubt.

City Attorney Suárez: So, I just want to just clarify that, of course, you're basing your decision on the record below, on the evidence that was presented below and the determination to be made is whether there was competent substantial evidence to support the Board's decision. And in doing so, you shouldn't step into the shoes of the Board, but rather just determine whether there was competent substantial evidence for that decision.

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Mayor Lago: So, moving forward, we have to either reaffirm or we have to go the other way. So, do we have a --? I know the Vice Mayor seconded the motion, but I wasn't sure there was a -- you -- so, you motioned to override?

Commissioner Fernandez: Correct.

Mayor Lago: Okay, then we have a second to override. Okay, I didn't hear the motion.

Vice Mayor Anderson: No, I was stating reasons why there wasn't...

Mayor Lago: I didn't hear...

Vice Mayor Anderson: Substantial competent evidence.

Mayor Lago: I hadn't heard his motion.

Commissioner Fernandez: I agree with all those.

Mayor Lago: So, we have a motion and a second.

City Clerk Urquia: Commissioner Castro?

Commissioner Menendez: Override.

Commissioner Castro: Yes.

Commissioner Fernandez: Yes.

Commissioner Menendez: Yes.

Vice Mayor Anderson: Yes.

Mayor Lago: Yes.

(Vote: 5-0)

Mayor Lago: Have a nice day. Thank you. Alright, I'm going to try -- if we -- we have -- I want to try to run through a few...

Mr. Pathman: Thank you, Mr. Mayor and Commissioners.

Mayor Lago: (INAUDIBLE).

Mr. Pathman: Much appreciated.

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