

**City of Coral Gables  
Planning and Zoning Division  
Board of Adjustment**

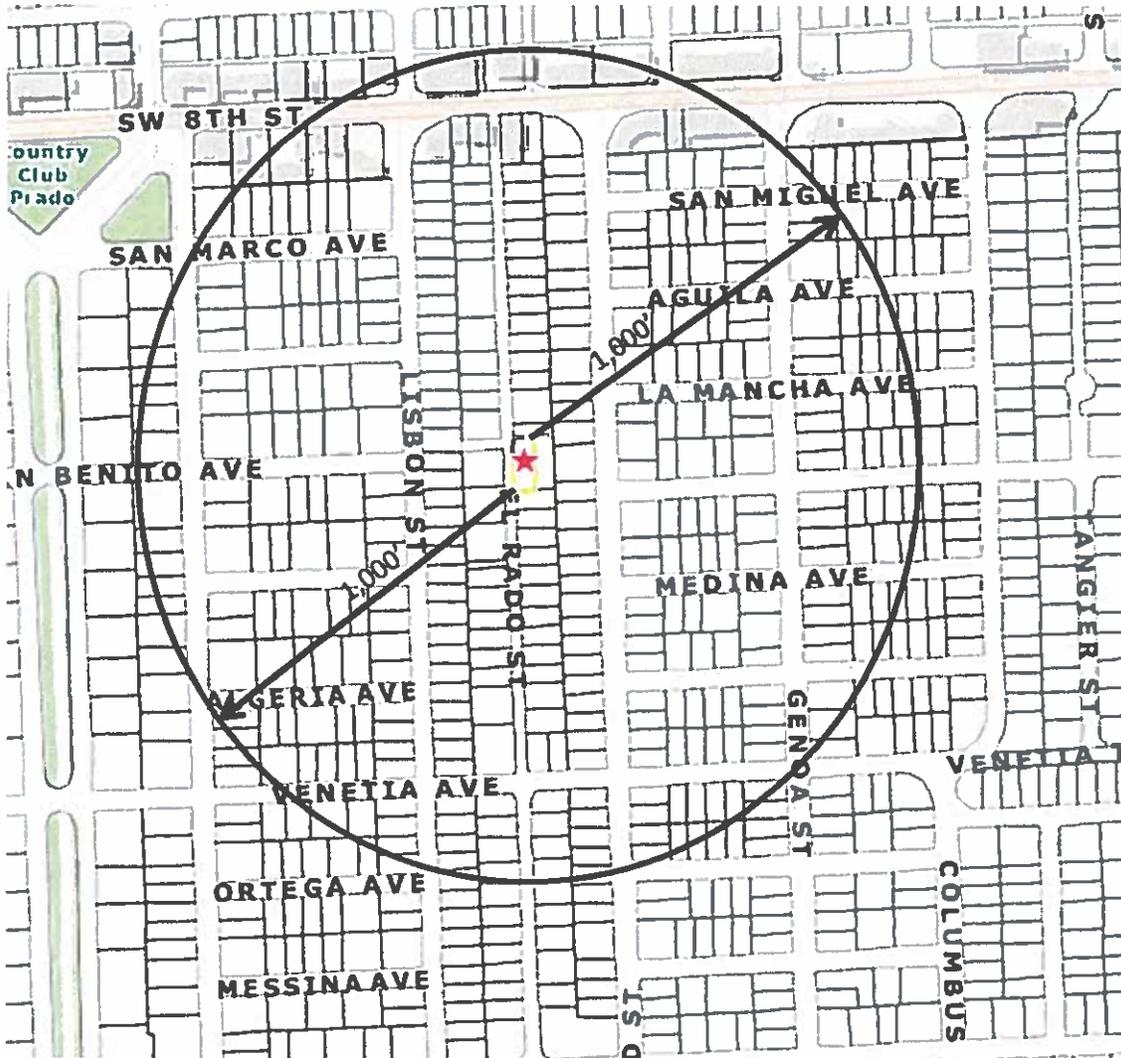
**November 9, 2015**

**Property Located at:  
1320 San Benito Avenue**

**BA-15-08-5439**

Consider a variance request in regard to the side street setback for the proposed two story residence located at 1320 San Benito Avenue, Coral Gables, Florida.

# 1,000' RADIUS MAP

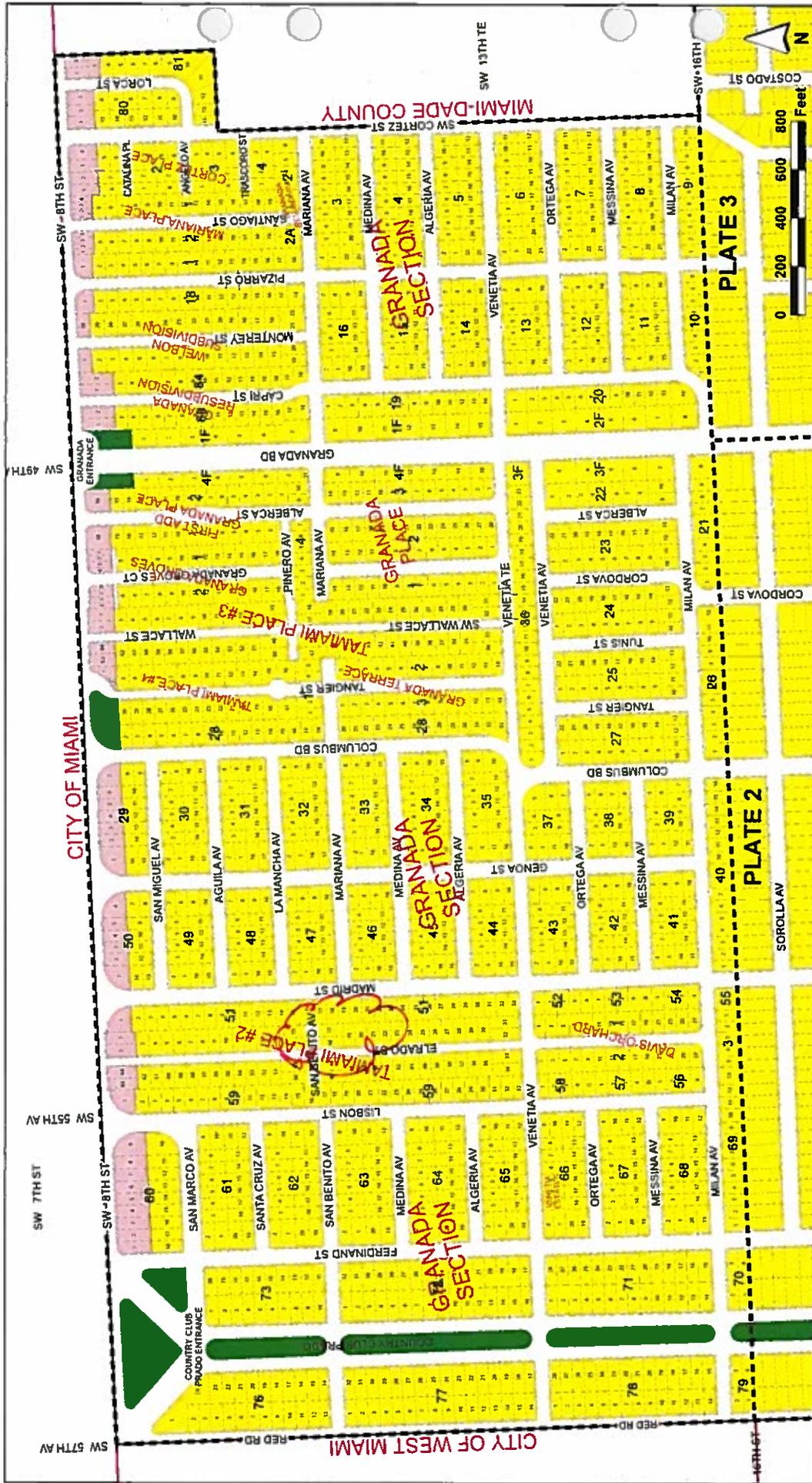


**SUBJECT:** 1320 San Benito Ave, Coral Gables, FL 33134

**FOLIO NUMBER:** 03-4107-010-0140

**LEGAL DESCRIPTION:** TAMiami PLACE PLAN 2 PB 6-89 LOT 18 & THAT PORT OF SAN BENITO AVE EXCLUDING N7FT LYG N & ADJ CLOSED PER ORD-3307





# Zoning Map

- Zoning Districts**
- (SFR) Single-Family Residential District
  - (MF1) Multi-Family 1 Duplex District
  - (MF2) Multi-Family 2 District
  - (MFA) Multi-Family Special Area District
  - (UCD) University Campus District
  - (S) Special Use District
  - (P) Preservation District
  - (CL) Commercial Limited District
  - (C) Commercial District
  - (I) Industrial District

**STAFF REPORT FOR 1320 SAN BENITO AVENUE**

**Architect/Engineer:** Rafael Padilla, RA

**Legal Description:** TAMIAMI PLACE PLAN NO 2 PB 6-89 LOT 18 AND THAT PORTOF SAN BENITO AVE EXCLUDING N 7 FT LYG N & ADJ CLOSED PER ORD-3307

**Present Owners:** El Rado LLC

**Present Use:** Residential

**Zoning District:** Single-Family Residential (SFR)

**Land Use Classification:** Residential Use (Single-Family) Low Density

**APPLICANT'S PROPOSAL:** In connection with the side street setback for the proposed two story residence at the subject property, the Applicant requests the following variance pursuant to the provisions of Ordinance No. 2007-01 as amended and known as the "Zoning Code."

1. Grant a variance to maintain a side street setback of fifteen feet (15'0") vs. maintaining twenty five feet (25'0") feet as required by Section 4-101 (D) (4) (b) of the Coral Gables "Zoning Code." A minimum side setback of fifteen feet (15'0") shall be required and maintained from any side line of a building site that abuts upon a street, provided, however, that buildings on corner lots which have one (1) side abutting upon a street on which other lots in the same block face, shall setback a minimum distance from such side street as is provided herein as the minimum front setback for buildings facing such side street.

**BOARD OF ARCHITECTS REVIEW:** Final approval on April 24, 2015.

**ADVERTISING:** This application was advertised in the Miami Daily Business Review on October 28, 2015. Letters were mailed to properties within one thousand feet of the subject property and the property was posted on October 28, 2015.

**STAFF OBSERVATION:** The applicant is proposing a two story residence on a vacant lot located on the southeast corner of San Benito Avenue and El Rado Street. A residence has never been constructed on the site. This rectangular lot is fifty six feet (56'0") in width on the San Benito Avenue frontage and one hundred and thirteen feet in length (113'0") on the El Rado Street frontage. The lot is platted to front on San Benito Avenue and the west side is El Rado Street. The Zoning Code requires a front street setback of twenty five feet (25'0") and a side street setback of fifteen feet (15'0"), unless there are buildings which face the side street and in that case the side street setback shall be setback a minimum distance from such side street as is

provided for those buildings facing such side street. In this case since there are homes facing El Rado Street which have a twenty five feet (25'0") front setback, the required side street setback from El Rado Street for the proposed residence would be twenty five feet (25'0"). Requiring both a front and side street setback of twenty five feet (25'0") on a fifty six feet (56'0") in width lot with an additional interior side setback of five feet (5'0") would only leave twenty six feet (26'0") in width for the residence. Strict application of the Zoning Code's parameters would render the construction envelope an unreasonable size considering the average size of a home. A twenty five feet (25'0") side street setback would be acceptable on a larger property site such as a lot with one hundred feet (100'0") in width and one hundred feet (100'0") in depth.

Staff researched and found numerous corner homes with this condition. These homes were built with variances or prior to the Zoning Code requirement for side street setback matching existing residences on the block. Below is a list of properties noted with this condition of maintaining only fifteen feet (15'0") when a twenty five feet (25'0") side street setback was required.

1402 Lisbon Street  
1235 Venetia Avenue  
1245 Venetia Avenue  
1710 Pizarro Street  
1309 Venetia Avenue  
1003 Ferdinand Street  
1025 Milan Avenue  
1245 Ortega Avenue  
1228 Venetia Avenue  
1441 Milan Avenue  
1202 Genoa Street  
1302 Genoa Street  
1303 Madrid Street

The scale of the residence is in harmony with the surrounding properties and complies with all applicable lot coverage regulations. Letters of support and no objection are also included.

Due to width of the lot and required front and interior side setbacks, staff recommends approval of the Applicant's request.

**STAFF RECOMMENDATION:** Pursuant to Section 3-806 STANDARDS FOR VARIANCES of the "Zoning Code," the Zoning Division Staff finds and the Board of Adjustment shall find as follows in regard to the Applicant's proposal as presented in their application for a variance from the provisions of Ordinance No. 2007-01, as amended and known as the "Zoning Code," and makes the following recommendations:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

**Does meet the standard required for authorization of variance.**

*The size of the property site coupled with the required front and interior side setback limit the remaining space to develop a reasonable size home with a proper layout.*

2. That the special conditions and circumstances do not result from the actions of the applicant.

**Does meet the standard required for authorization of variance.**

*The condition at the site was not created by the actions of the applicant. This is an existing platted lot.*

3. That granting the variance requested will not confer on the applicant a special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.

**Does meet the standard required for authorization of variance.**

*Other properties with similar site conditions have been granted variances and/or built as of right dependent on Zoning Code parameters at time of construction.*

4. That literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations, and would work unnecessary and undue hardship on the applicant (see also definition of "necessary hardship").

**Does meet the standard required for authorization of variance.**

*Literal interpretation of the Zoning Code regulations would deprive the Applicant the right to build a reasonably size home with a functional design on a similar lot size.*

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

**Does meet the standard required for authorization of variance.**

*The residence is proportional to the property site and surrounding homes. The variance granted would allow for a functional design and reasonable use of the property.*

6. That granting the variance will not change the use to one that is not permitted in the zoning district or different from other land in the same district.

**Does meet the standard required for authorization of variance.**

*Granting the variance requested will not change the use to one that is not permitted in the zoning district.*

7. That the granting of the variance will be in harmony with the general intent and purpose of these regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

**Does meet the standard required for authorization of variance.**

*The proposed residence is in harmony with the general intent and purpose of the Zoning Code's regulations and complies with all other applicable lot coverage parameters. The home is an adequate size for the site area and the requested setback along with landscaping specifically four live oaks provides the adequate buffer from the street.*

8. The granting of the variance is appropriate for the continued preservation of an historic landmark or historic landmark district.

**Does meet the standard required for authorization of variance.**

*The property is not a historic landmark or in a historic landmark district.*

Based on the findings in paragraphs 1 through 8 above, the Zoning Division staff recommends **APPROVAL** of Item No. 1 of the applicant's request.

## ARTICLE 4 - ZONING DISTRICTS

### Division 1. Residential Districts

#### Section 4-101. Single-Family Residential (SFR) District.

- A. Purpose and applicability. The Single-Family Residential (SFR) District is intended to accommodate low density, single-family dwelling units with adequate yards and open space that characterize the residential neighborhoods of the City. The City is unique not only in South Florida but in the country for its historic and architectural treasures, its leafy canopy, and its well-defined and livable neighborhoods. These residential areas, with tree-lined streets and architecture of harmonious proportion and human scale, provide an oasis of charm and tranquility in the midst of an increasingly built-up metropolitan environment. The intent of the Code is to protect the distinctive character of the City, while encouraging excellent architectural design that is responsible and responsive to the individual context of the City's diverse neighborhoods. The single-family regulations, as well as the design and performance standards in the Zoning Code, seek to ensure that the renovation of residences as well as the building of residences is in accord with the civic pride and sense of stewardship felt by the citizens of Coral Gables. By preserving the community character of the Gables, the Zoning Code safeguards both individual property values, as well as the quality of life that best serves the collective interest. In an SFR District no use other than these listed below shall be permitted. No buildings or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed to be used for a use other than a single-family use as defined in this code.
- B. Permitted principal uses and structures. The following uses are permitted:
1. Accessory dwelling.
  2. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
  3. Family day care as required and defined pursuant to Florida Statutes.
  4. Single-family dwellings.
  5. Utility infrastructure facilities.
- C. Conditional uses. The following uses are permitted in the SFR District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:
1. Private yacht basins.
-  D. Performance standards. The following performance standards shall govern the general development of structures in the District. Where there are specific standards for properties that are specifically set forth in the Site Specific Zoning Regulations, the regulations in the Site Specific Zoning Regulations shall apply (see Appendix A).
1. Building sites. Buildings and structures shall be constructed or erected upon a building site containing at least one (1) platted lot, and such building site shall have a minimum street frontage of fifty (50) feet. See also Section 3-206, Building site determination.
  2. Density. One (1) principal building per building site.
  3. Facing of lots and buildings. Every lot shall be deemed to face the street upon which it abuts; if a lot abuts upon more than one street, it shall be deemed to face the street upon which it has the shortest street line; and any building shall face the front of the lot, and be subject to the restrictions governing

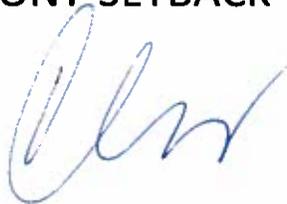
## ARTICLE 4 - ZONING DISTRICTS

buildings on each street on which it is deemed to face. The facing of a building site shall be based on the platting of the lots that comprise the building site, except for specific deviations or exceptions prescribed in Section 3-905.

4. **Setback requirements.** No building or structure, or any part thereof, including porches, projections or terraces, but not including uncovered steps, shall be erected at a lesser distance from the front, side or rear line of any building site than the front, side or rear setback distance, respectively, prescribed and established herein for such building site. Nothing herein shall prohibit a building or structure from having more than the minimum required setbacks.
- a. **Front setback.** A minimum front setback of twenty-five (25) feet shall be maintained and required on all building sites except that on existing building sites on platted lots less than seventy-five (75) feet in depth, a minimum front setback of fifteen (15) feet shall be required.
  - b. **Side setbacks.** Inside lots shall have minimum side setbacks, which total twenty (20%) percent of the width of the lot measured across the front setback line with a minimum total of ten (10) feet and up to a maximum of twenty (20) feet. A minimum side setback of fifteen (15) feet shall be required and maintained from any side line of a building site that abuts upon a street, provided, however, that buildings on corner lots which have one (1) side abutting upon a street on which other lots in the same block face, shall setback a minimum distance from such side street as is provided herein as the minimum front setback for buildings facing such side street. The required side setbacks shall be equal on both sides unless an uneven distribution is used to mitigate an existing contextual condition on the property as determined by the Board of Architects. An existing contextual condition may include but shall not be limited to the location of tree(s), existing structures on the property, or existing non-conforming setback conditions. In no case shall a side setback be less than five (5) feet
  - c. **Rear setback.** A minimum rear setback of ten (10) feet shall be maintained and required on all buildings.
  - d. **Setback from canal, waterway, lake or bay.** On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used for occupancy for residential purposes shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted.
5. **Setback requirements for auxiliary, accessory buildings and/or structures.** Except as specifically prescribed herein to the contrary, auxiliary, accessory buildings and/or structures shall be governed by the same minimum setback requirements as provided for the main or principal building, provided that:
- a. Except as may be otherwise noted no accessory or auxiliary building or structures may be located in the area between the street and the main residential building or any part thereof.
  - b. In no case shall an auxiliary building or structure be located closer to the front or side street of a lot or building site than the main or principal building.
  - c. One (1) story detached garages located in the rear yard area, with a height that does not exceed sixteen (16) feet above established grade and a floor area that does not exceed three hundred-and-fifty (350) square feet, may have a side setback of five (5) feet and a rear setback of five (5) feet.
6. **Height of single-family residence buildings and height of special-use buildings.** No single-family building shall be constructed in the City that is more than two (2) stories in height. No subordinate or accessory building permitted by this code as an auxiliary use shall exceed in height the maximum height of the principal building on the building site. Except in Journey's End where single-family residences may have a permitted height of thirty-four (34) feet above established grade, said two (2) stories shall not exceed a height of twenty-nine (29) feet above established

## APPLICANT'S PROPOSAL

REQUEST A SIDE STREET VARIANCE TO PROVIDE FIFTEEN FEET (15'0") VERSUS MAINTAINING TWENTY FIVE FEET (25'0") AS INDICATED IN CORAL GABLES ZONING CODE SECTION 4-101 (D) (4) (b); A MINIMUM SIDE SETBACK OF FIFTEEN (15) FEET SHALL BE REQUIRED AND MAINTAINED FROM ANY SIDE LINE OF A BUILDING SITE THAT ABUTS UPON A STREET, PROVIDED, HOWEVER, THAT BUILDINGS ON CORNER LOTS WHICH HAVE ONE (1) SIDE ABUTTING UPON A STREET ON WHICH OTHER LOTS IN THE SAME BLOCK FACE, SHALL SETBACK A MINIMUM DISTANCE FROM SUCH SIDE STREET AS IS PROVIDED HEREIN AS THE MINIMUM FRONT SETBACK FOR BUILDINGS FACING SUCH SIDE STREET.



CARLOS ROSCA



GUS DeGheaux

# El Rado, LLC

A Florida Limited Liability Company  
4904 SW 72<sup>nd</sup> Ave  
Miami, FL 33155  
Tel: 305-446-7990  
Fax: 305-446-4151

Co-Manager  
Gustavo M Deribeaux  
gus@gdrpa.com

Co-Manager  
Carlos Tosca  
carlos@toscarealestate.com

July 31, 2015

## BOARD OF ADJUSTMENT APPLICATION – STATEMENT OF USE and SHOWING OF COMPLIANCE WITH CRITERIA FOR SIDE SET BACK CONSIDERATION

Mr. Ramon Trias  
Planning and Zoning Director  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, FL 33134  
Tel: 305-460-5215  
rtrias@coralgables.com

Mrs. Elizabeth Gonzalez  
Zoning Technician Lead  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, FL 33134  
Tel: 305-460-5261  
egonzalez@coralgables.com

RE: Property: 1320 San Benito Ave, Coral Gables, FL 33134  
Applicant: El Rado, LLC

Dear Mr. Trias:

As of Wednesday, July 31, 2015, El Rado, LLC ("Applicant") is the owner of 1320 San Benito Ave (the "Property"). Below is a brief description and history of the property, a statement of use/intent for the property, and a request for a variance from the required side street setback of this property.

BA-15-08-5439  
1320 SAN BENITO AVENUE  
03-4107-010-0140  
NOVEMBER 2, 2015

Property Description

The net lot area of the Property is a full 6,445.62 square feet area in a section of 56.72 feet by 113.64 feet. Currently, the Property has a single address, a single folio number, a Primary Land Use of vacant residential and a Primary Zone of Single Family with an allowed Lot Coverage of 2,255.97 square feet.

Property Proposal

We are proposing to build a two story residence of a 1,781.43 square feet Lot Coverage with a West side set back of fifteen (15) feet as shown on the enclosed set of plans.

Plans Review

As of today, all trades divisions have been reviewed and approved under the Plans Processor Number BL-14-04-3508 with the exception of two pending comments from Zoning Division, one of which is a renewal of a Building Site Determination Letter (which is currently being reissued by the City) and the below comment regarding setbacks on corner lots:

**2) "BUILDINGS ON CORNER LOTS WHICH HAVE ONE (1) SIDE ABUTTING UPON A STREET ON WHICH OTHER LOTS IN THE SAME BLOCK FACE, SHALL SETBACK A MINIMUM DISTANCE FROM SUCH SIDE STREET AS IS PROVIDED HEREIN AS THE MINIMUM FRONT SETBACK FOR BUILDINGS FACING SUCH SIDE STREET."**

The lot in question is a rectangular lot that is only 56 feet in width by 113 feet in length. Because of the orientation of the lot on that street, the frontage of the lot is located on the North Side of the lot. If we were to strictly adhere to the requirements of the above, we would be required to maintain a 25-foot setback on the West side of the property. When you take that setback and the other interior side setback of 5 feet, we would be left with a property that would only allow 26 feet in width of developable land (56 feet less 25 feet, less 5 feet). In essence, given the frontage of the property, the house that we could build could be no more than 26 feet wide.

After a site visit around the neighboring areas, we have noticed that there are several other homes built on corner lots, which are not set at the currently required "MINIMUM DISTANCE FROM SUCH SIDE STREET AS IS PROVIDED HEREIN AS THE MINIMUM FRONT SETBACK FOR BUILDINGS FACING SUCH SIDE STREET." (pictures attached). It does appear that those structures were probably constructed prior to the enactment of this requirement, but the reason for bringing this up is to show that there are other homes in the neighborhood that are situated the same way that we are requesting our house to be situated, and therefore would not result in our home looking odd or out of place.

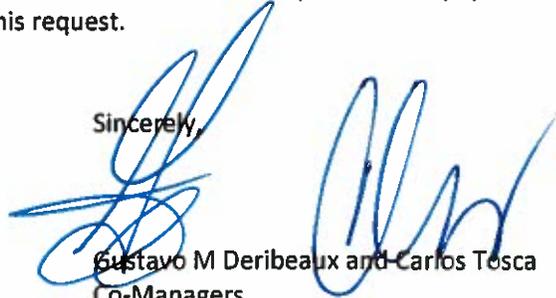
We have been diligently processing these plans through the City for more than fifteen months, and projecting that a redesign of the house to conform to a width of 26 feet would be unduly burdensome,

BA-15-08-5439  
1320 SAN BENITO AVENUE  
03-4107-010-0140  
NOVEMBER 2, 2015

we hereby request that a variance to the typical 15 foot side street setback on the West side of the property be allowed under these extenuating circumstances.

Thank you for your consideration. Please let us know if you have any questions or if you require any additional materials regarding this request.

Sincerely,



Gustavo M Deribeaux and Carlos Tesca  
Co-Managers  
El Rado, LLC

BA-15-08-5439  
1320 SAN BENITO AVENUE  
03-4107-010-0140  
NOVEMBER 2, 2015

**STANDARDS FOR VARIANCES:**

**Section 3-806. Standards for variances.**

**A. In order to authorize any variance from the terms of these regulations, the Board of Adjustment or Historic Preservation Board, as the case may be, shall find:**

1. That special conditions and circumstances exist which are peculiar to the land, structure or Building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

The lot in question is a rectangular lot that is only 56 feet in width by 113 feet in length. Because of the orientation of the lot on that street, the frontage of the lot is located on the North Side of the lot.

2. That the special conditions and circumstances do not result from the actions of the applicant. These are existing lot configurations not created by Applicant

3. That granting the variance requested will not confer on the applicant any special privilege that is Denied by these regulations to other lands, buildings or structures in the same zoning district. Not only will the variance not confer on the Applicant any special privilege, the variance will relieve a hardship otherwise created by strict application of the Code.

4. That literal interpretation of the provisions of these regulations would deprive the applicant of Rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations and would work unnecessary and undue hardship on the applicant. Literal interpretation and strict application of the Code would result in the in a construction envelope no greater than 26 feet in width, which in essence would deprive Applicant's ability to build a marketable and/or uninhabitable home.

5. That the variance granted is the minimum variance that will make possible the reasonable use of The land, building or structure. Granting this variance will make possible the reasonable construction and use of a home with realistic width of 32 feet.

6. That granting the variance will not change the use to one that is not permitted in the zoning district Or different from other land in the same district. The granting of the variance will not change the single family use of the subject property

7. That the granting of the variance will be in harmony with the general intent and purpose of These regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. Granting this variance will not be detrimental to the subject area. Furthermore, there are other homes in the neighborhood that are situated similarly. Therefore, the granting of this variance will not result in Applicant's home looking odd or out of place.

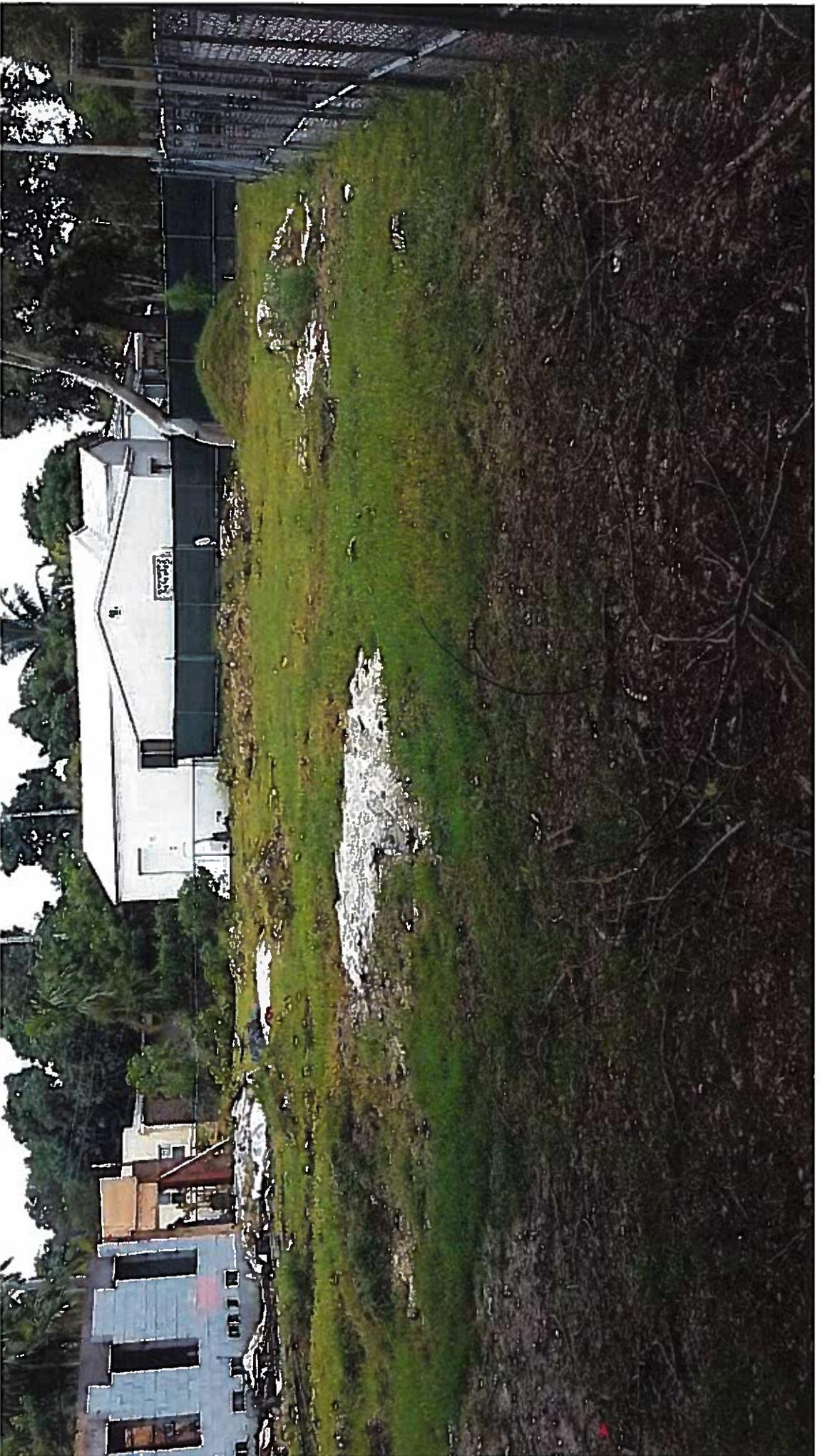
8. That the granting of the variance is appropriate for the continued preservation of an historic Landmark or historic landmark district. The granting of this variance has no impact on continued preservation of a historic landmark. Or landmark district.













**COLOR PHOTOGRAPHS (13 SETS):**

SEE ENCLOSED.

**EL RADO STREET AND VENETIA AVENUE, CORAL GABLES:**



**ORTEGA STREET AND LISBON AVENUE, CORAL GABLES:**



PIZARRO STREET AND SOROLLA AVE, CORAL GABLES:



**Neighborhood Support Letter**  
**BA-15-08-5439**  
**(1320 San Benito Avenue)**

Dear Neighbor,

We, El Rado LLC, are the owners of property located at 1320 San Benito Acenue in Coral Gables. As pertn of our residential development plans, we are required to obtain a variance to the side setback requirements as follows:

A minimum side setback of fifteen feet (15'0") shall be required and maintained from any side line of a building site that abuts upon a street, provided, however, that buildings on corner lots which have one (1) side abutting upon a street on which other lots in the same block face, shall setback a minimum distance from such side street as is provided as the minimum front setback for buildings facing such side street.

Our requested variance is supported by City of Coral Gables Planning staff as it maintains consistency with developments in the area. We are respectfully asking for your support for our application.

Please sign and return this letter. Thank you!

EL Rado LLC

-----

I, being a resident of Coral Gables, hereby express my support for the variance request submitted by El Rado, LLC.

Name (Printed) Claudia Modak

Mammi Yes 10-12-15

Signature Date

1222 El Rado St  
Address (Coral Gables, FL)

786-350-0019  
Phone number (optional)

Please return to:  
El Rado LLC, 4904 SW 72nd Ave, Miami, FL 33155

**Neighborhood Support Letter**  
**BA-15-08-5439**  
**(1320 San Benito Avenue)**

Dear Neighbor,

We, El Rado LLC, are the owners of property located at 1320 San Benito Acenue in Coral Gables. As pertain of our residential development plans, we are required to obtain a variance to the side setback requirements as follows:

A minimum side setback of fifteen feet (15'0") shall be required and maintained from any side line of a building site that abuts upon a street, provided, however, that buildings on corner lots which have one (1) side abutting upon a street on which other lots in the same block face, shall setback a minimum distance from such side street as is provided as the minimum front setback for buildings facing such side street.

Our requested variance is supported by City of Coral Gables Planning staff as it maintains consistency with developments in the area. We are respectfully asking for your support for our application.

Please sign and return this letter. Thank you!

EL Rado LLC

-----

I, being a resident of Coral Gables, hereby express my support for the variance request submitted by El Rado, LLC.

Name (Printed) Brandy Austin

[Signature] 10/12/15

Signature Date

911 El Rado St

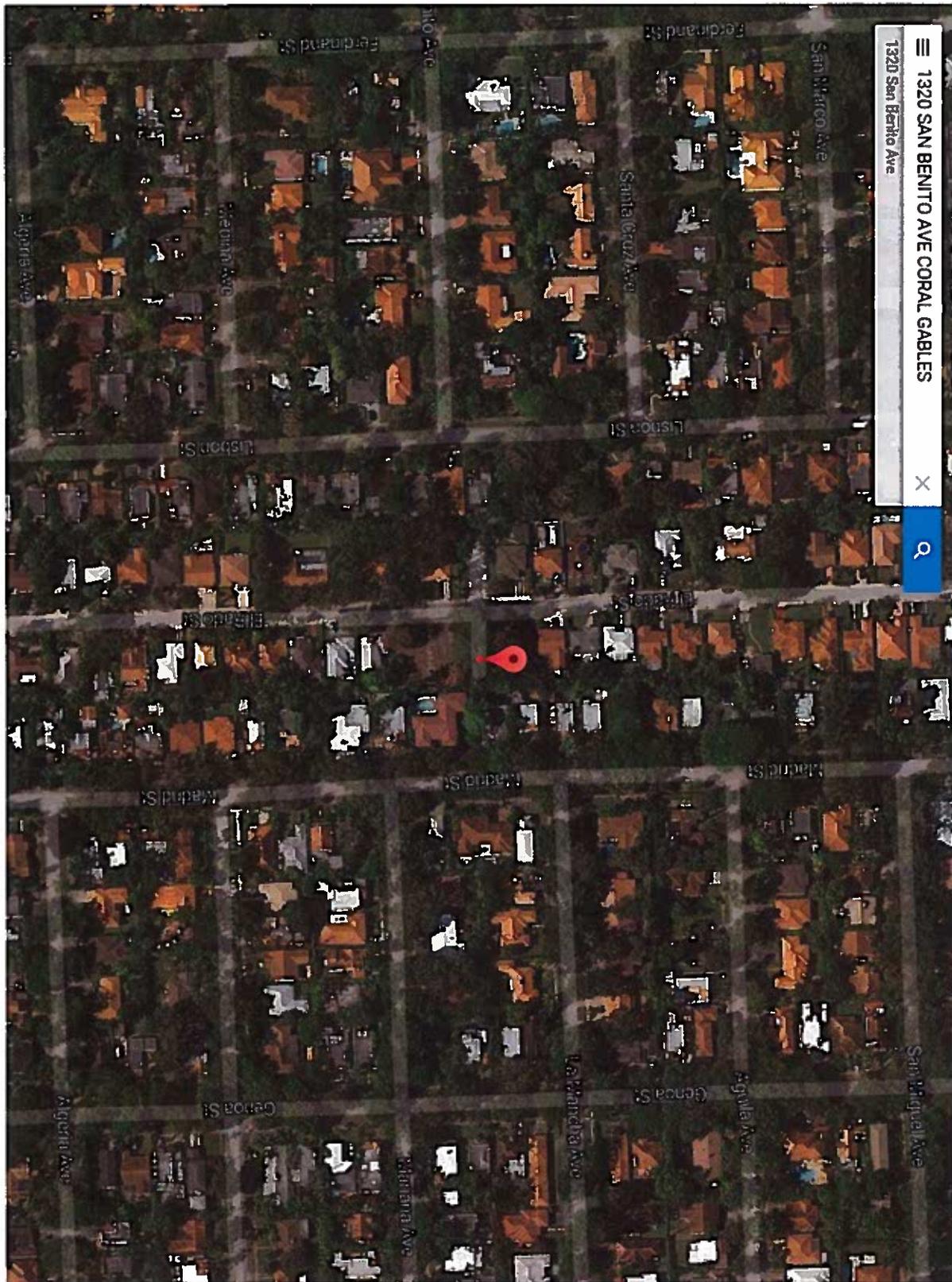
Address (Coral Gables, FL)

305.588.5012

Phone number (optional)

Please return to:  
El Rado LLC, 4904 SW 72nd Ave, Miami, FL 33155

AERIAL



BA-15-08-5439  
1320 SAN BENITO AVENUE  
03-4107-010-0140  
NOVEMBER 2, 2015



# OFFICE OF THE PROPERTY APPRAISER

## Summary Report

Generated On : 8/28/2015

Property Information	
Folio:	03-4107-010-0140
Property Address:	
Owner	EL RADO LLC
Mailing Address	5246 SW 8 STREET CORAL GABLES , FL 33134
Primary Zone	0100 SINGLE FAMILY - GENERAL
Primary Land Use	0081 VACANT RESIDENTIAL : VACANT LAND
Beds / Baths / Half	0 / 0 / 0
Floors	0
Living Units	0
Actual Area	0 Sq.Ft
Living Area	0 Sq.Ft
Adjusted Area	0 Sq.Ft
Lot Size	7,725 Sq.Ft
Year Built	0



Assessment Information			
Year	2015	2014	2013
Land Value	\$241,020	\$200,850	\$140,981
Building Value	\$0	\$0	\$0
XF Value	\$0	\$0	\$0
Market Value	\$241,020	\$200,850	\$140,981
Assessed Value	\$220,935	\$200,850	\$140,981

Benefits Information				
Benefit	Type	2015	2014	2013
Non-Homestead Cap	Assessment Reduction	\$20,085		

Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).

Short Legal Description
TAMIAMI PLACE PLAN 2 PB 6-89
LOT 18 & THAT PORT OF SAN BENITO
AVE EXCLUDING N7FT LYG N & ADJ
CLOSED PER ORD-3307
LOT SIZE 56.800 X 136

Taxable Value Information			
	2015	2014	2013
<b>County</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$220,935	\$200,850	\$140,981
<b>School Board</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$241,020	\$200,850	\$140,981
<b>City</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$220,935	\$200,850	\$140,981
<b>Regional</b>			
Exemption Value	\$0	\$0	\$0
Taxable Value	\$220,935	\$200,850	\$140,981

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
06/14/2013	\$360,000	28681-0075	Qual on DOS, multi-parcel sale
05/01/2001	\$0	19677-1827	Qual by exam of deed
12/01/1994	\$145,000	16623-4481	Qual by verifiable & documented evidence
06/01/1988	\$130,000	13752-2988	Qual by verifiable & documented evidence

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version:

BA-15-08-5439  
1320 SAN BENITO AVENUE  
03-4107-010-0140  
NOVEMBER 2, 2015



# Board of Adjustment Application

City of Coral Gables

Development Services Department

Phone# 305.460.5235

## Preamble

Pursuant to the City Charter, and subject to those provisions, a Board of Adjustment is created to provide relief from hardships and errors in the application of the regulations.

## Application review request

The undersigned applicant(s)/agent(s)/property owner(s) request(s) a Board of Adjustment hearing for the following application(s) (please check all that apply):

- Appeal
- Variance
- Other: \_\_\_\_\_

## Property information

Property/project name: EL RADO LOT 18

Street address of the subject property: 1320 SAN BENITO AVE

Property Legal Description: Lot(s): TAMIAMI PLACE 2 PG 6-89 LOT 18 & THAT PORT OF SAN BENITO AVE EXCLUDING N7FT LYN N & ADJ CLOSED PER ORD-3307 LOT SIZE 56 800 X 136 OR 19677-1827 052001 4 (3) - THELXJ

Block(s): N/A

Section(s): 07

Plat Book(s)/Page(s): 6 / 89

Has there been a Board of Adjustment hearing on the property in the last year? NO

Is this request the result of a Notice of Violation? NO

Is this request the result of a deviation from an approved set of plans? NO

Has the property owner owned the property for at least one (1) year? YES

Current land use classification(s): 0081 VACANT RESIDENTIAL: VACANT LAND

Current zoning classification(s): 0100 SINGLE FAMILY - GENERAL

Listing of all folio numbers for subject property:

03-4107-010-0140

**Board of Adjustment Application**

**General information**

Applicant(s)/Agent(s) Name(s): EL RADO, LLC  
Telephone#: 305-446-7990 Fax#: 305-446-4151 Email: EBALIAN @ PALMCORPLLC.COM  
Mailing Address: 4904 SW 72 AVE, MIAMI, FL 33155  
(City) (State) (ZIP Code)

Property Owner(s) Name(s): EL RADO, LLC  
Telephone#: 305-446-7990 Fax#: 305-446-4151 Email: GUS @ GDRPA.COM  
Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

Property Owner(s) Name(s): N/A  
Telephone#: \_\_\_\_\_ Fax#: \_\_\_\_\_ Email: \_\_\_\_\_ @ \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
(City) (State) (ZIP Code)

Project Architect(s) Name(s): RAFAEL PADILLA, RA  
Telephone#: 305-236-5203 Fax#: 305-236-5203 Email: YUYI121 @ AOL.COM  
Mailing Address: 375 NW 124 AVE, MIAMI, FL 33182  
(City) (State) (ZIP Code)

Provide the date(s) and type(s) of application(s) previously filed with the City of Coral Gables and type of reviews, approvals, actions related to this request:

N/A

Application received by: E. Gonzalez Date: 8/17/15

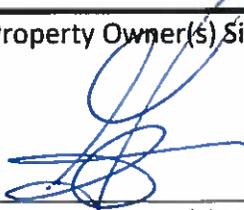
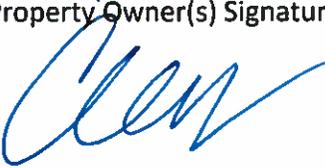
## Board of Adjustment Application

### Applicant/agent/property owner/architect affirmation and consent

(I) (We) affirm and certify to all of the following:

1. The application will not be heard unless the Applicant/Agent is present at the Board of Adjustment hearing.
2. The subject property will be posted with a City approved public notice sign. The sign shall be installed a minimum of ten (10) days prior to the meeting and shall not be removed until after the meeting, at which time it is the applicant's responsibility to remove the sign.
3. No application shall be accepted during the following time periods after the denial of a substantially similar application affecting the same property or any portion thereof:
  - a. Conditional uses and variances: six (6) months.
  - b. Comprehensive Plan Map Amendment, Comprehensive Plan Text Amendment, Zoning Code Map Amendment, Zoning Code Text Amendment, amendments and applications for abandonment and vacation of non-fee interests: twelve (12) months (Section 3-210. Resubmission of application affecting same property).
4. That the only variance or items being requested are those that have been specified in the written application for a variance, and any other code or plan issues will be corrected by modifying the plans to comply with the respective codes and ordinances of the City of Coral Gables.
5. That the applicant will be responsible for complying with all of the conditions and restrictions imposed by the Board of Adjustment in connection with the requested variance, and will take the necessary steps to make the variance effective if approved by the Board of Adjustment.
6. That it is the responsibility of the applicant to submit a complete application with all of the documents necessary for the Board of Adjustment to hear the applicant's request.
7. That the applicant is responsible for the submission and accuracy of a certified mailing list and three (3) sets of mailing labels according to the latest ad valorem tax record of all property owners within one-thousand (1,000) feet of the property for which a public hearing before the Board of Adjustment is being requested.
8. Any variance granted by the Board of Adjustment or the City Commission shall be in effect for twelve (12) months from the date of approval. If a permit is not issued within the twelve (12) months, and work commenced, then the variance shall become null and void. One (1) twelve (12) month extension of a variance may be granted by the Development Review Official.
9. That the application fee is not refundable or any portion thereof regardless of final resolution, deferment, or non-presentation to the Board of Adjustment.
10. That all the information contained in this application and all documentation submitted herewith is true to the best of (my) (our) knowledge and belief.
11. Understand that the application, all attachments and fees become a part of the official records of the City of Coral Gables and are not returnable.
12. Failure to provide the information necessary pursuant to the established time frames included but not limited to application submittal, submission of revised documents, etc. for review by City Staff and the designated reviewing entity may cause application to be deferred without further review until such time the requested information is submitted.
13. Applicant has read and understands all of the information in the City of Coral Gables Board of Adjustment Information brochure.
14. All representatives of the application have registered with and completed lobbyist forms for the City of Coral Gables City Clerk's office.

**Board of Adjustment Application**

Property Owner(s) Signature: 	Property Owner(s) Print Name: GUSTAVO M. DERIBEAUX
Property Owner(s) Signature: 	Property Owner(s) Print Name: CARLOS TOSCA
Property Owner(s) Signature: N/A	Property Owner(s) Print Name: N/A

Address: 4904 SW 72ND AVE, MIAMI, FL 33155

Telephone: 305-446-7990

Fax: 305-446-4151

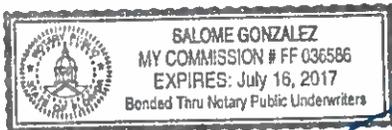
Email: GUS@GDRPA.COM, CARLOS@TOSCAREALESTATE.COM

**NOTARIZATION**

STATE OF FLORIDA/COUNTY OF

The foregoing instrument was acknowledged before me this 2<sup>nd</sup> day of SEPTEMBER by GUSTAVO M. DERIBEAUX  
(Signature of Notary Public - State of Florida)

AND  
CARLOS TOSCA





(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known OR  Produced Identification; Type of Identification Produced \_\_\_\_\_

**Board of Adjustment Application**

Architect(s) Signature: 

Architect(s) Print Name:  
RAFAEL PADILLA, RA

Address: 375 NW 124 AVE, MIAMI, FL 33182

Telephone: 305-236-5203

Fax: 305-236-5203

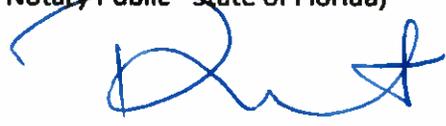
Email: YUYI121@AOL.COM



**NOTARIZATION**

STATE OF FLORIDA/COUNTY OF

The foregoing instrument was acknowledged before me this 14 day of August by 2015  
(Signature of Notary Public - State of Florida)



(Print, Type or Stamp Commissioned Name of Notary Public)

Personally Known OR  Produced Identification; Type of Identification Produced \_\_\_\_\_

**Attachments:**

- A. Board of Adjustment supporting information.
- B. Board of Adjustment Calendar.
- C. Board of Adjustment Application Fee Schedule.
- D. Certified Mailing List Service Providers.

BA-15-08-5439  
1320 SAN BENITO AVENUE  
03-4107-010-0140  
NOVEMBER 2, 2015

L130000080758

(Requestor's Name)

(Address)

(Address)

(City/State/Zip/Phone #)

PICK-UP     WAIT     MAIL

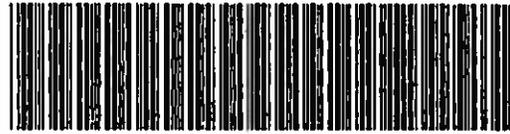
(Business Entity Name)

(Document Number)

Certified Copies \_\_\_\_\_ Certificates of Status \_\_\_\_\_

Special Instructions to Filing Officer:

Office Use Only



700250828207

08/20/13--01031--003 \*\*25.00

2013 AUG 20 PM 12:34  
SECRETARY OF STATE  
TALLAHASSEE, FLORIDA

FILED

B. BOSTICK  
AUG 22 2013  
EXAMINER

**COVER LETTER**

**TO: Registration Section  
Division of Corporations**

**SUBJECT: EL RADO, LLC**

Name of Limited Liability Company

The enclosed Articles of Amendment and fee(s) are submitted for filing.

Please return all correspondence concerning this matter to the following:

**GUSTAVO M. DERIBEAUX**

Name of Person

Firm/Company

**4904 SW 72 AVENUE**

Address

**MIAMI, FL 33155**

City/State and Zip Code

**GUS@GDRPA.COM**

E-mail address: (to be used for future annual report notification)

For further information concerning this matter, please call:

**GUSTAVO M. DERIBEAUX** at **305 446-7990**

Name of Person

Area Code & Daytime Telephone Number

Enclosed is a check for the following amount:

\$25.00 Filing Fee

\$30.00 Filing Fee &  
Certificate of Status

\$55.00 Filing Fee &  
Certified Copy  
(additional copy is enclosed)

\$60.00 Filing Fee,  
Certificate of Status &  
Certified Copy  
(additional copy is enclosed)

**MAILING ADDRESS:**  
Registration Section  
Division of Corporations  
P.O. Box 6327  
Tallahassee, FL 32314

**STREET/COURIER ADDRESS:**  
Registration Section  
Division of Corporations  
Clifton Building  
2661 Executive Center Circle  
Tallahassee, FL 32301

**ARTICLES OF AMENDMENT  
TO  
ARTICLES OF ORGANIZATION  
OF**

**EL RADO, LLC**

(Name of the Limited Liability Company as it now appears on our records.)  
(A Florida Limited Liability Company)

The Articles of Organization for this Limited Liability Company were filed on 06/04/13 and assigned Florida document number L13000080758.

This amendment is submitted to amend the following:

**A. If amending name, enter the new name of the limited liability company here:**

The new name must be distinguishable and end with the words "Limited Liability Company," the designation "LLC" or the abbreviation "L.L.C."

Enter new principal offices address, if applicable:  
(Principal office address MUST BE A STREET ADDRESS)

4904 SW 72 AVENUE  
MIAMI, FL 33155

Enter new mailing address, if applicable:  
(Mailing address MAY BE A POST OFFICE BOX)

4904 SW 72 AVENUE  
MIAMI, FL 33155

SECRETARY OF STATE  
TALLAHASSEE, FLORIDA  
2013 AUG 20 PM 12:34  
FILED

**B. If amending the registered agent and/or registered office address on our records, enter the name of the new registered agent and/or the new registered office address here:**

Name of New Registered Agent: GUSTAVO M. DERIBEAUX

New Registered Office Address: 4904 SW 72 AVENUE  
*Enter Florida street address*

MIAMI, Florida 33155  
*City Zip Code*

**New Registered Agent's Signature, if changing Registered Agent:**

*I hereby accept the appointment as registered agent and agree to act in this capacity. I further agree to comply with the provisions of all statutes relative to the proper and complete performance of my duties, and I am familiar with and accept the obligations of my position as registered agent as provided for in Chapter 608, F.S. Or, if this document is being filed to merely reflect a change in the registered office address, I hereby confirm that the limited liability company has been notified in writing of this change.*

*(Signature)*  
**If Changing Registered Agent, Signature of New Registered Agent**

If amending the Managers or Managing Members on our records, enter the title, name, and address of each Manager or Managing Member being added or removed from our records:

MGR = Manager  
MGRM = Managing Member

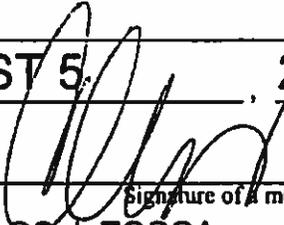
<u>Title</u>	<u>Name</u>	<u>Address</u>	<u>Type of Action</u>
MGRM	PALM CORP DEVELOPMENT GROUP, LLC	4904 SW 72 AVENUE MIAMI, FL 33155	<input checked="" type="checkbox"/> Add <input type="checkbox"/> Remove
MGR	ROSA A ZAMORA	5246 SW 8 STREET CORAL GABLES, FL 33134	<input type="checkbox"/> Add <input checked="" type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove
			<input type="checkbox"/> Add <input type="checkbox"/> Remove

FILED  
 2013 AUG 20 PM 12:34  
 SECURE PART OF STATE  
 TALLAHASSEE FLORIDA

D. If amending any other information, enter change(s) here: (Attach additional sheets, if necessary.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated AUGUST 5, 2013



\_\_\_\_\_  
Signature of member or authorized representative of a member  
**CARLOS J. TOSCA**

\_\_\_\_\_  
Typed or printed name of signee

**Page 3 of 3**

**Filing Fee: \$25.00**

2013 AUG 20 PM 12:34  
STATE BARR OF STATE  
TALLAHASSEE, FLORIDA

FILED



CITY OF CORAL GABLES  
LOBBYIST ANNUAL REGISTRATION APPLICATION  
FOR EACH PRINCIPAL REPRESENTED

2015 SEP 25 PM 3:44

REGISTRATION #: \_\_\_\_\_

HAVE YOU BEEN RETAINED TO LOBBY ANY OF THE FOLLOWING FOR THE STATED PURPOSE?

**CITY OFFICIALS:** Mayor, City Commissioners, City Attorney, City Manager, City Clerk, Assistant City Manager, Special Assistant to City Manager, Heads or Directors of Departments, and their Assistant or Deputy, Police Major or Chief, Fire Major or Chief, Building and Zoning Inspectors Board, Committee Members, or any other City Official or staff.

**FOR THIS PURPOSE:** To encourage the approval, disapproval, adoption, repeal, passage, defeat or modification of any ordinance, resolution, action or decision of the City Commission; or any action, decision or recommendation of the City Commission, any Board, Committee or City Official.

IF THE FOREGOING APPLIES TO YOU, YOU ARE REQUIRED TO REGISTER AS A LOBBYIST:

Print Your Name JAVIER L. VAZQUEZ  
LOBBYIST

Print Your Business Name, if applicable BERGER SINGERMAN LLP

Business Telephone Number (305) 714-4378

Business Address 1450 BRICKELL AVE, 1900, MIAMI, FL 33131  
ADDRESS CITY, STATE ZIP CODE

Federal ID#: \_\_\_\_\_

State the extent of any business or professional relationship you have with any current member of the City Commission. N/A

PRINCIPAL REPRESENTED:

NAME GUS DE RIBEAUX COMPANY NAME, IF APPLICABLE EL RADO, LLC

BUSINESS ADDRESS 4904 SW 72 AVE TELEPHONE NO.: (305) 446-7990

**ANNUAL REPORT:** On October 1st of each year, you are required to submit to the City Clerk a signed statement under oath listing all lobbying expenditures in excess of \$25.00 for the preceding calendar year. A statement is required to be filed even if there were no expenditures.

**LOBBYIST ISSUE APPLICATION:** Prior to lobbying for a specific issue, you are required to fill out a Lobbyist Issue Application form with the Office of the City Clerk; stating under oath, your name, business address, the name of each principal who employed you to lobby, and the specific issue on which you wish to lobby.

**NOTICE OF WITHDRAWAL:** If you discontinue representing a particular client, a notice of withdrawal is required to be filed with the City Clerk.

**ANNUAL LOBBYIST REGISTRATION FEE:** This Registration must be on file in the Office of the City Clerk prior to The filing of an Issue Application to lobby on a specific issue, and payment of a \$150.00 Lobbyist Registration Fee is required.

I JAVIER L. VAZQUEZ hereby swear or affirm under penalty of perjury that I have read the provisions of the City of Coral Gables Ordinance 2006-11, governing Lobbying and that all of the facts contained in this Registration Application are true and that I agree to pay the \$150.00 Annual Lobbyist Registration Fee.

*[Handwritten Signature]*  
Signature of Lobbyist

2015 SEP 25 PM 3:44  
CITY OF CORAL GABLES  
RECEIVED BY THE  
OFFICE OF THE CITY CLERK

STATE OF FLORIDA )  
COUNTY OF DADE )

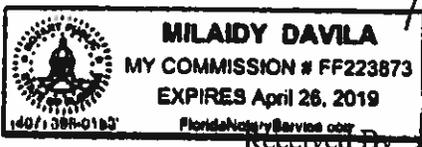
BEFORE ME personally appeared JAVIER L. VAZQUEZ to me well known and known to me to be the person described in and who executed the foregoing instrument, and acknowledged to and before me that he/she executed said instrument for the purposes therein expressed.

WITNESS my Hand and Official Seal this 9/23/15.

Personally Known

Produced ID

\$150.00 Fee Paid



*[Handwritten Signature: Milaidy Davila]*  
Notary Public  
State of Florida

Received By M. Costa Date: 9/25/15

Fee Waived for Not-for-Profit Organizations (documentary proof attached.) \_\_\_\_\_

**For Office Use Only**  
Data Entry Date: \_\_\_\_\_, 20\_\_\_\_ Entered By: \_\_\_\_\_



CITY OF CORAL GABLES  
RECEIVED BY THE  
OFFICE OF THE CITY CLERK

CITY OF CORAL GABLES  
LOBBYIST  
ISSUE APPLICATION

2015 SEP 22 PM 3:10

REGISTRATION #: \_\_\_\_\_

HAVE YOU BEEN RETAINED TO LOBBY ANY OF THE FOLLOWING FOR THE STATED PURPOSE?

**CITY OFFICIALS:** Mayor, City Commissioners, City Attorney, City Manager, City Clerk, Assistant City Manager, Special Assistant to City Manager, Heads or Directors of Departments, and their Assistant or Deputy, Police Major or Chief, Fire Major or Chief, Building and Zoning Inspectors, Board, Committee Members, or any City Official or staff.

**FOR THIS PURPOSE:** To encourage the passage, defeat or modification of any ordinance, resolution, action or decision of the City Commission; or any action, decision or recommendation of any Board, Committee or City Official.

**IF THE FOREGOING APPLIES TO YOU, YOU ARE REQUIRED TO REGISTER AS A LOBBYIST AND TO FILE THE FOLLOWING INFORMATION, UNDER OATH, WITH THE CITY CLERK FOR EACH ISSUE ADDRESSED. ISSUE FEE: NO CHARGE, PROVIDING YOU HAVE A CURRENT ANNUAL LOBBYIST REGISTRATION DOCUMENT ON FILE.**

Print Your Name JAVIER L. VAZQUEZ  
LOBBYIST

Print Your Business Name BERGER SINGERMAN LLP

Business Telephone Number (305) 714-4378

Business Address 1450 BRICKELL AVE, 1900 MIAMI, FL 33131  
ADDRESS CITY, STATE ZIP CODE

Corporation, Partnership, or Trust Represented:  
Principal Name: EL RADO, LLC  
Principal Address: 4904 SW 72 AVE Telephone Number: (305) 446-7990

**ISSUE:** Describe in detail, including address, if applicable, of the specific issue on which you will lobby: (Separate Application is required for each specific issue)  
BOARD OF ADJUSTMENT APPLICATION FILING  
FOR PROPERTY LOCATED AT 1320 SAN BENITO  
AVENUE

I JAVIER L. VAZQUEZ hereby swear or affirm under penalty of per-  
jury that all the facts contained in this Application are true and that I am aware  
that these requirements are in compliance with the provisions of the City of Coral  
Gables Ordinance No. 2006-11, governing Lobbying.

[Signature]  
Signature of Lobbyist

\_\_\_\_\_  
Date

STATE OF FLORIDA )  
                                  )  
COUNTY OF DADE )

BEFORE ME personally appeared JAVIER L. VAZQUEZ to me well known and known to me to be the person  
described in and who executed the foregoing instrument, and acknowledged to and before me that he/she executed said in-  
strument for the purposes therein expressed.

WITNESS my Hand and Official Seal this 9/16/15.

Personally Known  
 Produced ID

[Signature]  
Notary Public  
State of Florida



**For Office Use Only**

Data Entry Date: \_\_\_\_\_, 20\_\_\_\_. Entered By: \_\_\_\_\_

Annual Fees Waived for Not-for-Profit Organization. I HEREBY CERTIFY that the foregoing  
(Please attach documentary proof. Pages 1 - 8, inclusive)  
is a true and correct copy of the original  
on file in this office.

10/20/15  
DATE: [Signature]  
CITY CLERK