



To: Dona Spain

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

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

RE: Legal Opinion Regarding Proposed Pool at 315 Romano and Coral Gables Cottage Ordinance

Date: October 20, 2016

You have asked me whether the proposed pool at 315 Romano is allowed by the Coral Gables Cottage Ordinance (Article 5, Division 5 of the Zoning Code). The Coral Gables Cottage Ordinance is intended to allow specific additional development rights on cottage properties consistent with making the historic landmark sustainable as single family residences and promoting historic preservation. The ordinance specifically makes accommodations to allow for a swimming pool in section 5-503(B). By expressly allowing for a pool, the ordinance implicitly allows for pool equipment, which is a necessary condition of a pool. It is my understanding that the feasible placement of the pool equipment, consistent with the historic integrity of the property, is in the location proposed. It is also my understanding that the pool and equipment will be at the legally, non-conforming 4 foot setback already established by the building, which is expressly permitted by section 5-503(A) of the Zoning Code. Accordingly, the swimming pool and equipment is allowed as long as a certificate of appropriateness is obtained and all other applicable regulations are followed.

This opinion is issued pursuant to section 2-201(e)(1) and (8) of the City Code, as well as section 2-702 of the Zoning Code.

From: [Leen, Craig](#)
To: [Paulk, Enga](#)
Cc: [Ramos, Miriam](#)
Subject: FW: Proposed Pool at 315 Romano and Coral Gables Cottage Ordinance
Date: Thursday, October 20, 2016 7:32:54 PM
Attachments: [image001.png](#)

Please publish.

Craig E. Leen, City Attorney

*Board Certified by the Florida Bar in
City, County and Local Government Law*

City of Coral Gables

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CORAL GABLES
THE CITY BEAUTIFUL

Celebrating 90 years of a dream realized.

From: Leen, Craig
Sent: Thursday, October 20, 2016 7:33 PM
To: Spain, Dona
Cc: Guin, Elizabeth
Subject: Proposed Pool at 315 Romano and Coral Gables Cottage Ordinance

City Attorney Opinion

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