



To: Jorey Friedman; Charles Wu

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

RE: Legal Opinion Regarding Appeal Hearing, No Transcript

Date: October 20, 2014

On behalf of the City, it is my opinion that the appeal can proceed without a transcript as it is my understanding that the principal issue in the appeal is preservation of the tree (and not design of the residence, except as it impacts the tree). There is no transcript related to the tree preservation decision (as the decision was made by staff as an administrative matter, not as part of a public hearing). It is my understanding that the Board of Architects decision was appealed only to the extent that the tree was impacted by the design. The Board of Architects' expertise relates to design and aesthetics, not tree preservation, so a transcript from that proceeding on the tree preservation issue is not necessary. If the Commission determines that the design must be changed because of tree preservation, then the matter could be sent back to the Board of Architects for consideration of a new design. Please note, if the issue becomes more about aesthetics than tree preservation, a transcript from the Board of Architects decision may become relevant at that point based on the circumstances.

Parramore, Carol

From: Leen, Craig
Sent: Monday, October 20, 2014 11:00 AM
To: Parramore, Carol
Subject: FW: Supporting Documents

Importance: High

Please place in opinion folder.

Craig E. Leen, City Attorney
*Board Certified by the Florida Bar in
City, County and Local Government Law*
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
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Email: cleen@coralgables.com

From: Leen, Craig
Sent: Monday, October 20, 2014 10:52 AM
To: 'Jorey Friedman'; Wu, Charles
Cc: Kia Hernandez; Melissa Tapanes; Tompkins, Jane; Ariel Fernandez; Bruce Lecure; Tamara McKeown
Subject: RE: Supporting Documents
Importance: High

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Best regards,

Craig E. Leen, City Attorney
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From: Jorey Friedman [<mailto:jfriedman@sb-architects.com>]

Sent: Monday, October 20, 2014 8:33 AM

To: Wu, Charles

Cc: Kia Hernandez; Melissa Tapanes; Leen, Craig; Tompkins, Jane; Ariel Fernandez; Bruce Lecure; Tamara McKeown

Subject: Re: Supporting Documents

Charles,

We spoke to Craig about this the other day. He informed us that for this appeal, no verbatim transcript is required for submission. Feel free to confirm this with him directly.

Thank you,
Jorey

On Oct 20, 2014, at 8:11 AM, Wu, Charles <cwu@coralgables.com> wrote:

Good Morning Jorey.

Section 3-606 of the Zoning Code provides the following: A full verbatim transcript of all proceedings which are the subject of the appeal shall be provided by the party filing the petition. The transcript shall be provided seven (7) days prior to the City Commission meeting at which the appeal will be heard with a sufficient number of copies for the City Commission, the City Attorney, the City Manager and the affected departments.

However, I am attaching a communication City Attorney Craig Leen made on Oct. 7 on the matter stating an extension of Oct. 14 to provide documentation. I am copying him on this communication in case he desires to offer an opinion on the matter for additional time.

Charles

From: Jorey Friedman [<mailto:jfriedman@sb-architects.com>]

Sent: Friday, October 17, 2014 10:03 PM

To: Wu, Charles

Cc: Leen, Craig; Tompkins, Jane; Bruce Lecure; Ariel Fernandez; Tamara McKeown; Foeman, Walter

Subject: Supporting Documents

Charles,

We would like to have some visual aids (photos) for our presentation at the Commission meeting on the 28th, should we not be able to come to a resolution prior to that date. Is it necessary for these to be ON RECORD and filed with the City?

If YES, would you happen to know what the deadline would be for submitting them (assuming that sending them electronically is acceptable)? I'm fairly certain that per the application it is 7 days prior to the Hearing, but would like confirmation of this.

Please confirm that the deadline would be would be Tuesday, October 21st by midnight? If this is not correct, please provide the deadline day and time.

Thank you,
Best,
Jorey

Jorey Shoshanna Friedman
Vice President | Senior Designer

<image001.png>

SB ARCHITECTS

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website | news | vCard | map | email

<image002.gif> <image003.png> <image004.png>

<image005.jpg>

From: Wu, Charles [<mailto:cwu@coralgables.com>]
Sent: Friday, October 17, 2014 1:44 PM
To: 'Jorey Friedman'; 'Kia Hernandez'
Cc: 'Melissa Tapanes'
Subject: Supporting Documents

Hello Jorey and Kia.

I wanted to extend an invitation to both of you to see if you would like to itemize any and all supporting documents needed for the appeal hearing. I have many documents, but I wanted to offer you the chance to provide me a list of those you think is essential and relevant to the appeal, so I don't miss anything.

If I don't hear from you, I will use whatever documents I have in the file.

Thank you for your kind consideration.

Charles

Please Note: Florida has a very broad Public Records Law. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public and media upon request. Your email communications may therefore be subject to public disclosure.

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