



To: Lidia Gonzalez, Zeke Guilford Esq.

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

A handwritten signature in blue ink, appearing to be "C. Leen", is written over the "From:" line.

RE: Legal Opinion Regarding 33 Alhambra Circle

Date: May 29, 2015

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In response to your inquiry, I have conferred with the Building Official, and it is the position of the City (and my opinion as well) that the Building Code in effect when the project was reviewed by the Board of Architects is the Building Code that applies. Here, that would be the 2010 Building Code. Please note, I have also opined that the eighteen month period discussed in section 1-111 of the Zoning Code is stayed/abated for the same length of time that applications for non-as of right projects are stayed/abated to allow for completion of the North Ponce Study. Your client will not lose any part of that time period because of the stay. I hereby issue this opinion pursuant to section 2-201(e)(1) and (8) of the City Code, and section 2-702 of the Zoning Code.

## Herbello, Stephanie

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**From:** Leen, Craig  
**Sent:** Friday, May 29, 2015 11:56 AM  
**To:** Herbello, Stephanie  
**Cc:** Ramos, Miriam; Figueroa, Yaneris; Chen, Brigitte  
**Subject:** FW: 33 Alhambra Circle

Please publish this opinion.

**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 OF GARDENS

*Celebrating 90 years of a dream realized.*

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**From:** Leen, Craig  
**Sent:** Friday, May 29, 2015 11:56 AM  
**To:** 'Lidia Gonzalez'  
**Cc:** Zeke Guilford; Ramos, Miriam; Tompkins, Jane; Miner, William; Lopez, Manuel; Trias, Ramon  
**Subject:** RE: 33 Alhambra Circle

Zeke,

In response to your inquiry, I have conferred with the Building Official, and it is the position of the City (and my opinion as well) that the Building Code in effect when the project was reviewed by the Board of Architects is the Building Code that applies. Here, that would be the 2010 Building Code. Please note, I have also opined that the eighteen month period discussed in section 1-111 of the Zoning Code is stayed/abated for the same length of time that applications for non-as of right projects are stayed/abated to allow for completion of the North Ponce Study. Your client will not lose any part of that time period because of the stay. I hereby issue this opinion pursuant to section 2-201(e)(1) and (8) of the City Code, and section 2-702 of the Zoning Code.

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CORAL GABLES  
JULY 1925

*Celebrating 90 years of a dream realized.*

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**From:** Lidia Gonzalez [<mailto:LGonzalez@guilfordassoc.com>]

**Sent:** Thursday, May 28, 2015 2:18 PM

**To:** Leen, Craig

**Subject:** 33 Alhambra Circle

*Guilford & Associates, P.A.*  
*Attorneys at Law*

F.W. ZEKE GUILFORD  
E-MAIL: ZGUILFORD@GUILFORDASSOC.COM

May 28, 2015

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Mr. Craig Leen, Esq.  
City Attorney  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, FL 33134

RE: 33 Alhambra Circle / TWJ Alhambra, LLC

Dear Mr. Leen:

This firm represents TWJ Alhambra, LLC, relative to the redevelopment of the entire block of which 33 Alhambra Circle is a part. By this letter I am requesting clarification as to the prevailing building code to be used as it relates to this project.

On March 27, 2014, the owner received preliminary approval and final Mediterranean bonus for the proposed project from the Board of Architects. At that time, the prevailing building code was the 2010 Florida Building Code. A new building code is proposed that will have a significant impact on the project. It is our understanding that a person is governed by the building code in place at the time of submittal to the board of architects. In this case it would be the 2010 building code.

Please confirm that my understanding is correct. I look forward to your response and if you have any questions or need any additional information, please do not hesitate to contact me.

Very sincerely,  
Guilford & Associates, P.A.



F.W. Zeke Guilford, Esq.