



To: Dona Spain, Historical Resources & Cultural Arts Director

From: Gustavo J. Ceballos, Assistant City Attorney for the City of Coral Gables

Approved: Miriam Soler Ramos, City Attorney for the City of Coral Gables *MSR*

RE: Legal Opinion Regarding 1220 S. Alhambra Circle

Date: August 9, 2019

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Pursuant to Section 3-1107(G) of the Coral Gables Zoning Code, all demolition permits for non-designated buildings must be approved by the Historic Preservation Officer (“HPO”). On October 27, 2017, the HPO issued a historical determination letter that stated that the property located at 1220 South Alhambra Circle (“Property”) did not meet the minimum eligibility criteria for designation as a local historic landmark and therefore was not subject to review by the Historic Preservation Board (“HPB”) prior to seeking a demolition permit.

Pursuant to Section 3-1107(G) of the Coral Gables Zoning code, a historical determination letter expires 18 months after issuance and as of today, August 5, 2019, no permit for demolition has been issued. As such, any demolition permit would require the re-issuance of a historical determination letter by the HPO.

On June 25<sup>th</sup>, 2019 the Board of Directors of the Historic Preservation Association of Coral Gables (HPACG) submitted a request via email for a historical report and study of the Property for designation to be presented to the HPB. This request is not an appeal of the original determination letter, as that letter has since expired and the appeal would have been untimely, but is a new proposal for designation before the Historical Resources Department. Currently, a formal application has yet to be submitted, but if one were to be completed by HPACG then, procedurally, a determination would need to be made by the HPO as to whether the request for designation shall proceed to public hearing before the HPB, pursuant to Section 3-1101 of the Coral Gables Zoning Code.

If the HPO were to make a determination that the Property qualified for historic designation, then the application would be scheduled on an agenda and presented at a public hearing before the HPB. Alternatively, if the HPO were to make a determination that the Property did not qualify for

designation, then HPACG may present the proposal for designation, including all relevant materials and information, directly to the HPB pursuant to Section 3-1104(A)(3) of the Coral Gables Zoning code.

In conclusion, an application for the designation of the Property may be submitted to the Historic Preservation Department and if a determination is made by the HPO that the Property lacks the appropriate criteria for designation, then the HPACG's request would be ripe to go through the procedures described above.