



To: Ramon Trias, Planning & Zoning Director for the City of Coral Gables

From: Cristina M. Suárez, Deputy City Attorney & City Prosecutor for the City of Coral Gables

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

RE: Legal Opinion Regarding 235 Majorca Avenue

Date: July 25, 2018

We have received an inquiry as to the maximum height of development at the property located at 235 Majorca Avenue (the "Property"). As you know, the Property has a Comprehensive Plan Future Land Use Map designation of Residential Multi-Family Medium Density, which allows for development up to 70 feet in height, but up to 97 feet with applicable bonuses under section 5-604 of the Zoning Code. Moreover, the Property is zoned Multi-Family 2 District ("MF2"), which provides for a maximum height of 45 feet for a property with lot area that is less than 20,000 square feet. However, there are site specific standards for the Property set forth in Section A-63 which provide for a maximum height of development of up to 150 feet.

This office has previously issued opinions providing that in the MFSA District, the height of development for properties for which there are site specific regulations is governed by such site specific regulations. See CAO 2017-13; CAO 2013-33. Those opinions relied on, inter alia, section 4-104(D) of the Zoning Code, which specifically addresses the MFSA District and provides that the site specific standards apply. With respect to the MF2 District, section 4-103 of the Zoning Code also states in the performance standards (section 4-103(D)), that "[w]here 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). Thus, for this reason and consistent with CAO 2017-13 and CAO 2013-33, it is my conclusion that the height of development on the Property is governed by the site specific regulations, such that a height of 97 feet, which is also consistent with the comprehensive plan, is permitted, provided that the development complies with the requirements for bonuses pursuant to section 5-604 of the Zoning Code.

This opinion is issued pursuant to section 2-252(e)(1) and (8) of the City Code, as well as section 2-702 of the Zoning Code.

From: [Suarez, Cristina](#)
To: [Paulk, Enga](#)
Cc: [Ramos, Miriam](#)
Subject: FW: 235 Majorca Avenue
Date: Wednesday, July 25, 2018 5:36:41 PM
Attachments: [image001.png](#)

Enga:

Please publish.

Thanks,
Cristina

Cristina M. Suárez
Deputy City Attorney & City Prosecutor

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From: Suarez, Cristina
Sent: Wednesday, July 25, 2018 5:35 PM
To: Trias, Ramon
Cc: Ramos, Miriam
Subject: 235 Majorca Avenue

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Cristina M. Suárez

Deputy City Attorney & City Prosecutor

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