

# ORDINANCE No.271 (With Amendments)

## Zoning Ordinance of Coral Gables, Florida

AN ORDINANCE TO REGULATE AND RESTRICT THE ERECTION, ALTERATION, LOCATION, AND USE OF BUILDINGS, STRUCTURES, WATER AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSES, TO REGULATE AND RESTRICT THE SIZE OF BUILDINGS AND OTHER STRUCTURES HEREAFTER ERECTED OR ALTERED; THE SIZE AND DIMENSIONS OF YARDS, COURTS AND OTHER OPEN SPACES SURROUNDING BUILDINGS; TO REGULATE AND RESTRICT BUILDING LINES AND THE PERCENTAGE OF LOT THAT MAY BE OCCUPIED, THE INTENSITY OF USE OF LOT AREAS AND THE DENSITY OF POPULATION; AND FOR SAID PURPOSES TO DIVIDE THE CITY OF CORAL GABLES INTO DISTRICTS OF SUCH NUMBER, SHAPE AND AREA AS MAY BE DEEMED BEST SUITED TO CARRY OUT THESE REGULATIONS; AND FOR EACH SUCH DISTRICTS TO IMPOSE REGULATIONS AND RESTRICTIONS DESIGNATING THE KINDS OR CLASSES OF TRADES, INDUSTRIES, RESIDENCE OR OTHER PURPOSES FOR WHICH BUILDINGS OR OTHER STRUCTURES OR PREMISES MAY BE PERMITTED TO BE ERECTED, ALTERED OR USED; TO PROVIDE A METHOD FOR AMENDMENT, SUPPLEMENT, CHANGE, MODIFICATION OR REPEAL OF REGULATIONS, RESTRICTIONS AND BOUNDARIES; FOR CREATING THE OFFICES OF SUPERVISING ARCHITECT AND ASSOCIATE SUPERVISING ARCHITECT AND STRUCTURAL ENGINEER AND DEFINING THE DUTIES THEREOF; PROVIDING FOR ADDITIONAL BUILDING PERMIT FEES AND FOR COMPENSATION TO THE SUPERVISING ARCHITECTS AND STRUCTURAL ENGINEER; FOR CREATING A ZONING BOARD OF APPEALS AND DEFINING THE DUTIES AND POWERS THEREOF; FOR PRESERVING PROPERTY VALUES, AND PROMOTING THE GENERAL PROSPERITY THROUGH THE APPROPRIATE USE OF LAND AND BUILDINGS AND MAINTENANCE OF A HIGH STANDARD OF SYMMETRICAL ARCHITECTURAL DESIGN AND CONSTRUCTION; AND PRESCRIBING METHODS FOR ENFORCEMENTS OF THIS ORDINANCE AND PENALTIES FOR THE VIOLATION THEREOF.

WHEREAS, by the provisions of its charter, authority is conferred upon the City of Coral Gables in the interests of public health, safety, order, convenience, comfort, prosperity or the general welfare, to adopt a plan or plans for the districting or zoning of the city, for the purpose of regulating the location of trades, industries, apartment houses, dwellings and other use of property, or for the purpose of regulating the height of buildings and other structures; or the area and dimensions of lots or yards in connection with buildings or other structures, and for the purpose of regulating the alignments of buildings or other structures near street frontages, and to regulate the type, exterior decoration and coloring of buildings; to conform to building restrictions established by subdivision plans, etc.

BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

### Section 1. INTERPRETATION. PURPOSE.

In interpreting and applying the provisions of this Ordinance, such provisions shall in every instance be held to be the minimum requirements adopted for the promotion of the public health, safety comfort, prosperity, morals and welfare.

### Section 2. DEFINITIONS.

Certain words in this Ordinance are herein defined:

(1) Words used in the present tense include the future; the singular number includes the plural number and the plural the singular; the word "building" includes the word "structure"; the words "used for" includes the words "designed for"; the word "shall" is mandatory and not directory; the word 'lot' includes the words "plot" and tract."

(2) **Alley.** A narrow thoroughfare dedicated or used for public use upon which abut generally the rear of the premises, or upon which service entrances of buildings abut, and is not generally used as a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, and is not otherwise officially designated as a street.

(3) **Apartment House.** A building which is used or intended to be used as a home or residence for three or more families living in separate apartments.

(a) **Apartments, efficiency.** An apartment consisting of a combination living room and bedroom with small auxiliary rooms such as kitchenette, breakfast nook and bath, arranged so as to be practically a one-room apartment. (476)

(4) **Auxiliary or Accessory Use.** A use customarily incidental to and accessory to the principal use of a building or premises located on the same premises with such principal use, but not including any commercial activity.

(5) **Billboards.** A surface whereon advertising matter is set in view conspicuously and which advertising does not apply to premises or any use of premises wherein it is displayed or posted.

(6) **Block.** A block shall be deemed to be that property abutting on a street on one side of such street and lying between the two nearest intersecting or intercepting streets or nearest intersecting or intercepting street and railroad right of way or waterway, golf course, campus, park or other open space.

(7) **Building.** A building is a structure entirely separated from any other structure by space or by walls in which there are no communicating door or windows or similar openings.

(8) **"Bungalow Court."** A "Bungalow Court" or "Bungalow Court apartments" is a group of two or more, either attached or detached, one-story single family dwellings on one or more adjoining lots under the same ownership, having separate outside entrances on the ground floor level for each single family dwelling.

(9) **Court.** An open, unoccupied, unobstructed space, other than a yard, on the same lot as a building. Trees or shrubs may be used in a court.

(10) **Court, Inner.** A court not extending to a street or alley or to a front, side or rear yard.

(11) **Court, Outer.** A court extending to a street or alley or to a front, side or rear yard.

(12) **Depth of Lot.** The depth of a lot is the mean distance between its mean front street line and its mean rear line.

(13) **Duplex or two-family dwelling or residence.** A residence building designed for, or used as, the separate homes or residences of two (2) separate and distinct families, having a single front entrance, and the exterior appearance of a single family dwelling house.

(14) **Dwelling House, or single family residence.** A pri-

vate residence building used or intended to be used as a home or residence in which all living rooms are accessible to each other from within the building, and in which the use and management of all sleeping quarters, all appliances for cooking, ventilating, heating or lighting are under one control, designed for the use of one family only.

(15) **Family.** One or more persons occupying premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, a lodging house, or hotel, as herein defined.

(16) **Garages, public and private;** garage or studio apartment; and apartment garage.

(a) **A public garage,** except as otherwise provided in this paragraph, is a building or premises in a C or M district arranged, designed and intended to be used for the storage or service of motor vehicles for hire or reward, or which does not come within the definition of a private garage as herein set forth.

(b) **A private garage** is a building with ground area not in excess of 600 square feet, or one third of the total ground area of the residence building, whichever is the greater, designed and intended to be used for storage on the ground floor of not more than four individually owned passenger automobiles devoted to the private use of the owner, when such garage is located on the same premises, as an auxiliary use, with the residence or apartment or business of the owner of such automobiles so stored, and where no fuel is sold.

(c) **An apartment garage** is a building designed and intended to be used for the housing of automobiles belonging to the occupants of an apartment building on the same premises, in connection with a bungalow court or an apartment building and having a square foot area not more than sufficient to house a number of automobiles not exceeding the number of apartments.

(d) **A garage apartment** is a building in a R district designed for use as a private garage, with living quarters in the same building.

(e) **A studio apartment** is a one or two story building, having either one or two apartments, of a floor area not exceeding 600 square feet each, with or without a private garage as a part of the building, the rear line of which building shall not be more than 10 feet distant from the rear lot line.

(17) **Grade.** The finished grade of premises, improved by a building is the elevation of the surface of the ground adjoining the building. The established grade of premises whether vacant or improved is the highest elevation of the sidewalk at the property line as fixed by the City. Where the finished grade is below the level of the established grade, the established grade shall be used for all purposes of this Ordinance.

(18) **Height of Building.** The height of a building shall be the vertical distance measured from the mean level of the established grade to the level of the highest point of the under side of the finished ceiling line. Where a structure is set back from the street line, the mean level of the finished grade of the premises along the line of that part of the structure nearest the street line may be substituted for the established grade for the purpose of determining the height of a building.

(19) **Lot.** A parcel of land having less than the minimum area permitted in the Use district for the building to be erected thereon, including such open spaces as are required by this ordinance and such open spaces as are arranged and designed to be used in connection with such building, but in no case containing less than area prescribed by this ordinance, shall be deemed a lot for the purpose of this ordinance. A corner lot is a lot at the junction of and fronting on two or more intersecting streets.

(20) **Private Club.** The term "private club" shall pertain to and include those associations and organizations of a fraternal or social character, or which are maintained in connection with a golf course; and shall not include casinos, night clubs or other institutions operated as a business.

(21) **Non-conforming use.** A non-conforming use is a use which does not comply with the regulations of the use district in which it is situated.

(22) **Street.** A thoroughfare used for public foot and vehicle traffic other than an alley as herein defined, shall be deemed a street.

(23) **Street Line.** The street line is the dividing line between a street and the lot. The shortest street line shall be deemed to be the front street line, except in cases where contiguous inside lots of similar area to corner lots have a greater frontage than depth, in which case the longest street line shall be the front street line of the corner lot.

(24) **Set back.** The minimum horizontal distance between the street line and the front line or side line of the building including terraces or any covered projection thereof, excluding steps.

(25) **Yard.** An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

(26) **Yard, front.** An unoccupied area between the front property line and the front line of any main or accessory building, measured at its least dimension and extending from one side yard to the other, exclusive of steps and open terraces.

(27) **Yard, rear.** An unoccupied area extending across the full width of the lot between the rear line of any main or accessory building and the rear line of the lot, commencing at such rear line, and measured at its least dimension.

(28) **Yard, side.** An unoccupied area between a main or accessory building and the side line of the lot and commencing at such line and extending from the street line to the rear yard, measured at its least dimension; providing that a porte-cochere attached to a residence building or a detached garage or garage apartment abutting the front line of a rear yard space, shall be permitted in the side yards in R districts.

### Section 3. USE DISTRICTS

For the purpose of classifying, regulating and restricting the location of trades and industries, and the location of buildings designed for industrial business, residence, and other uses, the City of Coral Gables is hereby divided into four classes of Use districts, to wit:

- (1) Residence Districts, being R districts.
- (2) Apartments and Hotel Districts, being A districts.
- (3) Commercial Districts, being C districts.
- (4) Industrial Districts, being M districts.

The use districts herein above referred to are designated on certain Use District maps attached to and expressly made a part of this ordinance. No building shall be erected, nor shall buildings or premises be used for any purpose other than a purpose permitted by this ordinance in the use district in which such building or premises is or are located.

### Section 4. RESIDENCE DISTRICTS

(a) In a residence district no building or premises shall be used nor shall a building be erected, altered or enlarged which is arranged, intended or designed to be used for an A, C, or M use as defined hereinafter.

In an R-1 district no R-2, R-3 or R-4 uses are permitted; in an R-2 district no R-3 or R-4 uses are permitted; in an R-3 district no R-4 uses are permitted. R-5 and R-6 uses shall be permitted in any R district, only after a special ordinance granting permission for such use shall have been passed and adopted by the City Commission, after a hearing before the Zoning Board at which persons interested shall be accorded opportunity to be heard. (602)

(b) For the purpose of this ordinance residence districts are classified as R districts numbered 1, 2, 3 and 4, and R uses are hereby defined as uses designed for and permitted in such R districts 1, 2, 3, and 4 and conforming to the provisions relating to such respective districts; and all R uses are classified as R1, R2, R3, R4, R5 and R6 uses as follows:  
An R1 use shall include every use as a single-family

dwelling house.

An R2 use shall include every use as a Duplex dwelling or two family residence, as herein defined.

An R3 use shall include every use as a bungalow court apartments.

An R4 use shall include every use as a studio or garage apartment, the rear wall of which is not farther than ten (10) feet from the rear of a lot without other residence building.

An R-5 use shall include golf or tennis grounds or similar use, church, convent, parish house, private club, public recreation building, community center building, music school, university dormitory, public school, private school, boarding school, or college, unless such private school, boarding school or college is operated so as to bring it within the definition of a C-use. (602)

No "night club" or casino, as popularly defined shall be allowed in the City of Coral Gables.

An R6 use shall include every use as a public park or public playground, or police station, fire station or municipal building.

(c) Not more than one residence building shall be permitted on a lot in residence districts 1, 2 or 4 and no residence building of any class shall exceed 2½ stories in height.

#### Section 5. APARTMENT DISTRICTS

(a) In an apartment district no building or premises shall be used nor shall a building be erected, altered or enlarged which is arranged, intended or designed to be used for a C or M use as defined hereinafter, but R1, R2, R5 and R6 uses are permitted. In an apartment district no building or premises shall be used nor shall any building be erected, altered or enlarged which is arranged, intended or designed to be used except for R or A uses or special uses exclusively as hereinafter provided.

(b) For the purpose of this ordinance, uses are hereby defined as uses other than R uses, designed for and permitted in apartment districts and conforming to the provisions relating to such districts; and all A uses are classified as A1 and A2 uses as follows:

A1 Use. An A1 use shall include every use as an apartment house, apartment garage, lodging house, or a hotel which is maintained within the limitations in apartment districts imposed thereon by this ordinance.

A2 Use. An A2 use shall include every use as a public library, public museum, public art gallery, hospital or sanitarium, an eleemosynary institution except as otherwise classified, or a private club excepting a club the chief activity of which is a service customarily carried on as a business.

#### Section 6. AUXILIARY USES IN RESIDENCE OR APARTMENT DISTRICTS

(a) Auxiliary uses which do not alter the character of the premises in respect to their use for residential purposes shall be permitted in Residence and Apartment districts. Auxiliary uses shall include the following, but the enumeration of such uses shall not be deemed to prevent proper auxiliary uses that are not referred to:

Except in commercial and industrial districts, apartments and hotel buildings shall not be furnished or equipped with any illuminated sign or any other character of sign excepting one giving the name of the apartment in painted or molded letters, which shall not exceed five (5) inches in height, which sign shall be placed over the entrance of the said apartment or hotel building. (394)

A public dining room or restaurant located in a hotel.

Such facilities as are required or useful for the operation of a hotel or apartment house, or for the use and entertainment of guests or tenants of the hotel or apartment house, when conducted and entered only from within the building;

subject to the limitations in this and other ordinances.

Hotels with one hundred or more guest rooms may contain business establishments of the C1 classification providing the exterior of the building shall not contain store fronts or have the appearance of commercial or mercantile activities or any display of articles or services for sale which are visible from the exterior of the building, or on the grounds facing a public highway or water frontage, and providing further that places of business established under the provisions of this section shall only be entered from within the building.

Private dining halls, printing presses, students' laboratories or workshops, playgrounds, athletic fields, or other customary facilities in connection with an R-use.

Recreation and service buildings in a public park or playground.

In R districts, 1, 2 and 3, a private garage, with or without living quarters for the use only of servants employed on the premises, and in A districts an apartment garage, not in excess of the ground area prescribed by this ordinance, and otherwise conforming to the provisions hereof, concerning such structure.

#### Section 7. COMMERCIAL DISTRICTS

(a) In a commercial district no building or premises shall be used nor shall a building be erected, altered or enlarged which is arranged, intended or designed to be used for M uses as defined hereinafter. In a commercial district no building or premises shall be used nor shall any building be erected, altered or enlarged which is arranged, intended or designed to be used except for R, A or C uses; or for special uses exclusively as hereinafter provided, only on approval of the City Commission as to such special uses.

(b) For the purpose of this ordinance C uses are hereby defined as uses other than R or A uses, designed for and permitted in commercial districts and conforming to the provisions relating to such districts; and all C uses are further defined and classified as C1, C2 or C3 uses, as follows:

C1 Use. A C1 Use shall include every use as:

1. Any use permitted in A districts
2. Banks and stock exchange offices
3. Barber shops and beauty parlors
4. Department stores
5. Antique and curio shops
6. Confectionery and ice-cream shops
7. Drug stores
8. Awning stores
9. Interior decorating, costuming, draperies
10. Haberdashery shops
11. Furniture stores
12. Lodge halls and convention halls
13. Luggage shops
14. Millinery shops
15. Modiste, wearing apparel, furriers
16. Jewelry stores
17. Music stores and radio stores
18. Hardware stores
19. Offices
20. Postoffices
21. Photograph galleries
22. Wholesale sales and showrooms
23. Shoe stores
24. Restaurants
25. Sporting goods stores
26. Stationery stores
27. Telegraph and telephone offices
28. Theatres and motion picture houses, or other similar enterprises or businesses, which are not more obnoxious or detrimental to the welfare of the particular community than the enterprises or businesses herein enumerated.

C2 Use. A C2 Use shall include every use as:

1. Every use permitted in a C1 district

2. Medical or dental clinic
3. Public or private hospital or sanitarium
4. Artificial flower manufacture
5. Automobile accessory stores
6. Grocery store
7. Meat market (except the handling of live poultry)
8. Conservatories.
9. Employment agencies.
10. Shoe repairing shops.
11. Retail electric stores and repair shops.
12. Variety stores.
13. Package liquor store, or other similar enterprise or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the enterprises or businesses herein enumerated.

C-3 Use. A C-3 Use shall include, provided all material products are stored and all manufacturing operations are carried on entirely within the substantial buildings completely enclosed with walls and roof, and provided no operations are of such a nature as to become offensive or obnoxious to the occupants of adjoining premises devoted to or adapted for other uses, by reason of the emission of odors, fumes or gases, dust, smoke, noise or vibrations, the following uses:

1. Every use permitted in C1 and C2 districts.
2. Automotive manufacturing or repair shop.
3. Automobile parts or tire repair or vulcanizing shops.
4. Bakery.
5. Public garage; machine shop.
6. Automobile filling or service station.
7. Internal Combustion engine operated in connection with any use permitted in a Commercial district provided such engine is equipped and operated with a competent muffling device.
8. Dance Halls.
9. Billiard Room.
10. Bowling Alley.
11. Custom dyeing or cleaning, clothes cleaning, steam cleaning.
12. Fish market, only upon special permit granted by the City Commission.
13. Carpet cleaning providing no dust is permitted to escape from the building.
14. Cigars, cigarettes, or smoking tobacco manufacturing.
- 14a Furniture manufacturing.
15. Pawn shops.
16. Pharmaceutical products, toilet preparations, patent or proprietary medicines, or baking powder manufacturing, providing no toxic or corrosive fumes, offensive odors or dust are permitted to escape from the building.
17. Private schools.
18. Printing shops.
19. Storage in fireproof warehouse of clothing, dry goods, furniture, glass, hardware, household goods.
20. Telephone exchange.
21. Retail store, retail trade, vocation, profession, or shop for custom work or the making of articles to be sold on the premises at retail to the ultimate consumer, provided the operation of such store, trade, vocation, profession or shop does not involve the handling or trucking of materials, products, or articles across the abutting public streets or alleys in sufficient quantities as to produce undue congestion in such streets and alleys or interfere with the usual functioning of those streets or alleys.
22. Or other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the enterprises of businesses herein enumerated, and provided no operations are of such a nature as to become offensive or obnoxious to the occupants of adjoining residence or apartment uses by reasons of the emission of odors, fumes or gases, dust, smoke, noise or vibrations.
23. Funeral homes providing that 10,000 square feet of ground is provided for parking purposes adjacent to and in addition to the property on which the building is to be located.

(564)

#### Section 7-A. RETAIL LIQUOR STORES (467)

Subject to restrictions and regulations imposed by other ordinances, the following restrictions shall apply to the location of retail liquor stores, for consumption either on or off the premises:

(a) In C2 and C3 areas, no retail liquor store shall be established or operated closer than a radial distance of 1,500 feet from any other liquor store.

(b) No retail liquor store may be established or operated on premises which face, across any street, avenue, park, plaza, or other open space, any premises which by the Zoning Ordinance or amendments thereto are classified and designated as residence (R) or apartment and hotel (A) districts.

(c) In C2 and C3 areas where such commercial premises abut upon residence (R) or apartment and hotel (A) premises, no retail liquor store shall be established or operated upon such premises, unless, after a hearing of affected property owners, as herein elsewhere provided before the Zoning Board of Appeals, the Commission shall by resolution grant a special permit for the specific location under consideration.

(d) In C-2 and C-3 areas where such commercial premises abut upon Residence (R) or Apartment and Hotel (A) premises, no retail liquor store may be established or operated within a lineal distance of 2500 feet of any other retail liquor store licensed under paragraph (a) or (c) hereof. (517)

(e) No business for the sale of alcoholic beverages or intoxicating liquors containing alcohol of more than 14% by weight for consumption on the premises or in sealed containers for consumption off the premises, and no business for the sale of alcoholic beverages containing alcohol of more than 1% by weight and not more than 14% by weight for consumption on the premises, shall be established or operated upon premises closer than 300 feet to an established church or school. Said distance shall be measured in the case of a church, by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of said place of business to the main entrance of the church; and, in the case of a school, by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of said place of business to the nearest point of the school grounds in use as part of the school facilities. (647)

(f) In computing the distances under this section whether between two retail liquor stores or between a retail liquor store and a church or school, the required distance shall be the shortest straight line distance between the two sites or premises, as shown by plats of record, or in the absence of a plat, by survey to be furnished by the applicant on request of the City Manager.

(g) Limitations and requirements established hereby shall not apply to or affect the continuance of retail liquor stores duly licensed by the City of Coral Gables and actually operating at the time of the adoption of this ordinance.

2. **Retail Liquor Stores.** Vendor's liquor license for the sale of liquor to be consumed on or off the premises shall be issued to specific persons, partnerships, corporations or other legal agencies, for the conduct of such business in specific locations, and no such licenses shall be issued, and no transfer of such licenses, either from persons or agency to person or agency or from location to location shall be valid until approved by the Commission of the City of Coral Gables. (466)

#### Section 8. INDUSTRIAL DISTRICTS

(a) In an industrial district, no building or premises shall be used nor shall a building be erected, altered or enlarged which is arranged, intended or designed to be devoted to a use prohibited in the City of Coral Gables by any other ordinance; nor shall any use be permitted, which by reason of noise, odors, noxious fumes, smoke or otherwise shall constitute a nuisance to residents in adjoining R or A use districts.

(b) M Use. For the purpose of this ordinance an M use is hereby defined as any use for an occupation, business or activity other than an R, A or C use, that may lawfully

be carried on within the City, and shall include every lawful use except an R, A or C use.

#### Section 9. SPECIAL USES.

For the purpose of this ordinance all special uses are classified as follows:

- Airdrome.
- Street car or bus barn.
- Circus, carnival, open air or tent show or similar use, operated for purposes of private profit, only upon approval of City Commission.
- Hospital or sanitorium for the care of crippled children.
- Penal or correctional institution.
- Public service water reservoir, filtration plant, or pumping station.
- Railroad stations. (563)

#### Section 10. NON-CONFORMING USE

A non-conforming use lawfully existing at the time of the passage of this ordinance may be continued subject to the following conditions:

- (a) A non-conforming use shall not be extended, but the extension of a use at any portion of a building which was arranged or designed for such non-conforming use at the time of the passage of this ordinance shall not be deemed the extension of a non-conforming use.
- (b) A building designed or devoted to a non-conforming use may not be constructed or structurally altered to an extent exceeding an aggregate cost during any ten-year period of fifty per cent of the value of the building, unless the use of the building is changed to a conforming use.
  - (b-1) That the 50 per cent valuation maximum requirement set forth in Section 10(b) of the Zoning Ordinance in regard to additions to non-conforming uses is hereby construed to be based on replacement value. (R.-3000)
- (c) A non-conforming use, if changed to a more restricted non-conforming use shall not thereafter be changed to a still more non-conforming use.
- (d) A non-conforming use shall not be changed unless changed to a more restricted use, providing that in a residential district an M use shall not be changed unless changed to a conforming use.
- (e) A non-conforming use shall not be continued, if by reason of odors, noxious fumes, smoke, noise or otherwise it shall become a nuisance to residents in adjoining R or A use districts.
- (f) Whenever a non-conforming use of a building has been discontinued for a period of one year or more, such non-conforming use shall not thereafter be reestablished, and the future use shall be in conformity with the provisions of this ordinance.
- (g) Nothing herein contained shall validate any non-conforming use existing at the effective date of this ordinance and not permitted hereby.

#### Section 11. HEIGHT OF BUILDINGS

1. No residence building shall be constructed in Coral Gables more than two and one-half stories in height.
2. No apartment building, hotel or other structure shall be constructed in Coral Gables of more than three stories in height, without special permission of the City Commission being first obtained.

#### Section 12. GENERAL REGULATIONS (616)

##### (a) Architectural type.

All buildings shall be of Spanish, Venetian, Italian or other Mediterranean or similar harmonious type architecture, except:

- (1) In the industrial section, McFarlane Homestead and Golden Gate subdivisions;
- (2) In the Biltmore Section and Biltmore Addition, where

modernistic type houses are also permitted; and in Block 45, Riviera Section Part 3, where Dutch Colonial type houses will be permitted, subject to approval of plans therefor by the Board of Supervising Architects;

(3) Where otherwise required by the terms of presently existing restrictions in deeds conveying lots or lands, or specially provided for herein.

(4) In commercial districts, such types of architecture shall be permissible as shall be found by the Board of Supervising Architects to be harmonious with the immediate neighborhood.

(5) No duplication of elevation or exterior architectural design shall be permitted except in the units of a single housing project, which shall be deemed to be not more than three multi-family units constructed on a lot or on contiguous lots in such plot plan upon said lots as to be one architectural entity.

(6) No duplication of floor plan shall be permitted except in units of a housing project as defined in paragraph (5) hereof; provided however that the supervising architects may permit duplication of floor plans in buildings separated by not less than two intervening streets.

(7) Duplication of floor plan and/or similarity of elevations or exterior architectural design shall be forbidden by the board of Supervising Architects regardless of other provisions of this ordinance, when in their judgment, it is detrimental to the interest and character of the locality or neighborhood, or when it may tend toward row housing, which is defined as repetition of plan and design creating a uniformity or monotony of mass and appearance.

##### (b) Exterior Walls.

All exterior walls of buildings shall be constructed of concrete or glass block, poured concrete, stone, hollow tile, or coral rock, without wooden facings, and all exterior masonry surfaces shall be stuccoed and painted excepting those of coral rock, stone or glass. Clay brick may be used only for sills and trim. All exterior coloring shall be approved by the Supervising Architect and Building Inspector before being applied.

##### (c) Roofs.

Excepting in C and M districts, in McFarlane Homestead and Golden Gate subdivisions, and in districts where modernistic type construction is permitted, no flat roofs shall be permitted on single family or two family dwellings, except over rooms on the rear end of two-story dwellings on inside lots. All pitched roofs shall be of vitrified clay tile, or white concrete tile (607), or coral rock slabs laid shingle fashion. Flat roofs shall be permitted on studio and garage apartment buildings in R4 districts, and on Apartment and Commercial or manufacturing buildings.

When flat roofs are used on modernistic type houses, they shall be of poured concrete.

All parapet walls or copings on any single or two-family residence building or apartment building; and on the front and/or side, facing a street, of a private garage building, a studio or garage apartment building in a C-1 or C-2 district, shall be finished with tile.

##### (d) Walls, Fences, Shrubbery, Utility Lines, Driveways.

1. Every permit for erection of wall or fence in rear five feet of any rear yard shall provide that it is subject to revocation, and to requirement that the wall or fence be removed by the owner at any time on request of a utility company requiring the use of the space for utility purposes; and that if the property owners fails to remove, on demand and notice, the utility company or City may, at his expense.

2. All fences and walls shall be of concrete block or rock, and block surfaces to be plastered with stucco; excepting wooden fences on Avenue Santa Maria.

3. No lot line walls or shrubbery over four (4) feet high shall be permitted within twenty feet of a street or alley intersection, or within twenty feet of front of lot adjacent to a driveway on abutting premises.

All persons owning or maintaining shade or ornamental trees or shrubbery or flora of any kind in the areas zoned for residential purposes in the City of Coral Gables, shall, whenever the adjoining premises are occupied by a person or persons dwelling thereon, keep all trees, shrubs or flora

trimmed down to a height of not more than four (4) feet in all cases where such trees, shrubs or flora are within ten (10) feet of the lot lines of the adjoining and occupied premises.

4. Utility poles and lines in residential districts having alleys shall be placed in five foot strip in middle of alley, in all cases where lots on both sides of alley are zoned for any residence purpose; in all other residential districts, where practicable, to be placed in rear yard areas reserved for utility uses by easements granted for that purpose.

**(e) Driveways.**

At the time of issuance of a permit for the construction of a building on premises not having a driveway from the outer sidewalk line to the pavement line of the street (and where the normal use and occupancy of such building requires vehicular traffic across the parkway between the pavement and the outer sidewalk line), the applicant for the permit shall deposit with the City of Coral Gables an amount, not less than \$25.00, sufficient to cover the cost of paving a driveway pavement between the outer sidewalk line and the pavement line, conforming to the street pavement type, and the City shall construct such driveway pavement in due course, applying so much of such deposit as shall be necessary for that purpose, the balance, if any, remaining to be returned to the applicant.

**SECTION 13. SPECIAL PROVISIONS AS TO PRIVATE AND APARTMENT GARAGES, GARAGE OR STUDIO APARTMENTS.**

In R 1, R 2 and R 3 districts:

1. No garage, or garage apartment shall be constructed before, but may be built concurrently with, main building, but must not be completed before main building is completed except as to interior trim and decorations; and shall not be occupied before main building is entirely completed. A two-story garage apartment shall not be constructed on the same premises as a one-story residence building.

2. Garage apartment occupancy is limited to use for servants employed on premises of residence building.

3. Only one garage or garage apartment building shall be permitted on plot occupied or used for residence building.

4. The floor area of garage apartment shall not exceed 600 sq. ft. or one-third of ground area of residence building, whichever is the greater.

**In R3 and R4 and A Districts.**

5. Garage or studio apartments without other residence building are permitted only in R4 districts, where garage or studio apartment must be set back to within 10 feet from the rear property line, except in the case of an alley in rear of lots zoned on both sides for residence purposes, in which case the apartment may be set back to within 5 feet from rear property line.

6. In A districts, and in connection with bungalow courts in R-3 districts, no apartment garage or garage apartment shall be set closer than 60 feet to the front lot line.

7. No garage or garage apartment shall be constructed on the same premises with a single family or duplex residence building which shall exceed in height the maximum height of such residence building, exclusive of chimneys and/or ornamental vertical projections. (298)

**Section 14. MISCELLANEOUS USE RESTRICTIONS**

**(1) Filling Stations, Public Garages, Auto Repair, Machine Shops and Used Car Lots.**

No service or gas filling station, public garage, auto repair or machine shop or used car lot shall be permitted (excepting in locations where now conducted) on lots abutting Biltmore Way or Coral Way; or on Ponce de Leon Boulevard, between the Tamiami Trail and Bird Road.

(a) No gasoline and oil filling station, and no automobile service station, shall be erected or located within three hundred and fifty (350) yards of any church, hospital, school or other such institution where large numbers of pedestrians congregate, or within two hundred and fifty (250) yards of

the location of another gasoline and oil filling station or automobile service station." (642)

(b) The occupation of "Used Car Lot" or Second hand Automobile Dealer shall not be conducted anywhere within the City of Coral Gables except upon premises zoned for Industrial Purposes. (519)

From and after the effective date of this ordinance it shall be unlawful for any person, association of persons, partnership or corporation to carry on any business for the sale of merchandise within the City of Coral Gables except where such business is carried on within and under cover of a building or buildings built according to the zoning requirements and the building code and building restrictions of the City of Coral Gables. (520)

This ordinance does not cover such businesses as the sale of growing trees, plants, flowers and the like and similar businesses which from their inherent nature can properly and successfully be carried on only from premises not under cover. (520)

(d) The operation of self service laundries (hereby defined as the business of offering to the public the use of automatic or hand operated washing, laundering or drying machines, whether operated by the customer or by an attendant, for a charge or fee) shall not be conducted anywhere within the City of Coral Gables, except upon premises zoned for industrial purposes. (644)

(e) The business or occupation of fortune teller, clairvoyant, palmist, astrologer, phrenologist, character reader, spirit medium, absent treatment healer, mind reader, mental healer, numerologist, and all other businesses and occupations of a similar nature shall not be conducted or operated anywhere within the City of Coral Gables except upon premises zoned for industrial purposes. (651)

(2) **Crematoriums.** No crematoriums as commonly defined shall be allowed on any premises in Coral Gables. (565)

**(3) Domestic Animals and Fowl.**

Horses, ponies, cattle, goats, pigs or other livestock and poultry, pigeons, and peacocks shall not be permitted to be kept on any premises in Coral Gables north of Blue Road, excepting that in that part of the south half of Block 27, Section K, now used for riding academy purposes, where such riding academy use is permitted subject to the other provisions of this ordinance.

Nor shall any such animals or fowl be permitted to be kept on any premises in that part of Coral Gables South of Blue Road, within one thousand feet of any other premises occupied for residential purposes, except upon special permit granted by the City Commission, after written notice of application therefor to all other heads of families occupying a residence building with a radius of one thousand feet of the premises where the same are to be kept.

**(4) Billboards.**

No billboards, as hereinbefore defined, shall be allowed on any premises in Coral Gables.

**(5) Houseboats.**

No houseboat that is not propelled by its own power shall be permitted to anchor to a dock or to land, or to remain in any of the water-ways within the City limits of Coral Gables for more than six hours. (317)

No boat or houseboat that is propelled by its own power shall be permitted to anchor to a dock or to land or to remain in any of the waterways within the City limits of Coral Gables for more than six hours without the written consent and approval of such anchoring from the owner of the property to which the boat is tied or anchored or from which the dock is built, and no such boat shall be used and occupied as a temporary or permanent abode or dwelling without the special permission of the City Commission of Coral Gables provided, however, that this ordinance shall not be construed to prohibit any boat from occupying an available space in the waterways of the City of Coral Gables during a period of time reasonably necessary for the protection of the boat from a hurricane. (317)

The owner or operator of any such boat or house-boat that is propelled by its own power shall, within six (6) hours of the time of mooring such boat or house-boat file with the

Police Department of the City of Coral Gables the name, number, length, beam and type of his vessel, the name and address of the owner and/or operator, and the written consent and approval of the owner of the property to which or within the riparian rights of which boat, house-boat or vessel is to be moored or anchored. (422)

**(6) Docks, Wharfs and Mooring Piles.**

No dock, wharf or other similar structure shall be built in any of the navigable waters, or land abutting thereon, within the corporate limits of the City of Coral Gables, without the special permission of the City Commission of Coral Gables.

(a) No wharf or other similar structure shall be built in any of the navigable or other waters in the City of Coral Gables, or on land abutting thereon, which extends more than five (5) feet outward from the bank over or in such waters. No mooring piles shall be placed or set in the waterways which shall be located at a greater distance than 25 feet from the bank of such water or waterways. Mooring piles shall be Venetian type, painted and ornamentally capped. (454)

(b) In no case shall any wharf or mooring piles be placed in any of the navigable or other waters within the city at a greater distance from the bank thereof which, when allowance is made for the erection or placing of a wharf or mooring piles on the opposite side at a similar distance from bank, will leave less than seventy-five (75) feet of open, unobstructed navigable water between such piles, wharves, and similar structures on the opposite side. (454)

(c) No wharf extending outward over or in the water from the bank shall be permitted in connection with any lot of which a reasonable area along the shore thereof shall be at such a level as to provide a natural landing stage or platform for persons embarking on or debarking from boats. (454)

(d) The mooring of boats in canals or waterways shall be forbidden unless such mooring, and similar mooring on the opposite side, shall leave unobstructed passageway in the canal at least seventy-five (75) feet in width. (454)

(e) Where the width of the canal permits mooring of boats parallel to the banks, but does not permit the erection or the placing of outer mooring piles, fender or mooring piles may be placed at a distance not greater than eighteen (18") inches from the bank or shore, and such piles shall be Venetian type piles, painted and ornamentally capped. (454)

**(7) Uncompleted Buildings.**

No building not completed in substantial compliance with plans and specifications upon which building permit was issued, shall be permitted to be maintained on any land in Coral Gables within one thousand feet of any building devoted to R, A or C uses, for more than six months after the commencement of erection of such new building, except upon special permit granted by the City Commission, and only for such period as it may prescribe.

**SECTION 15. MINIMUM FRONT, SIDE AND REAR YARDS**

All lots and lands in all R. A. and C use districts of the City of Coral Gables shall have front yards and rear yards of the minimum depths, and side yards of respective minimum widths hereafter mentioned, that is to say:

**FRONT YARDS**

**1. In Residence Districts.**

All lots facing on the following streets shall have front yards of the respective depths hereinafter mentioned, to-wit:

Granada Boulevard south of the north line of the lots north of and facing on Sorolla Avenue to Bird Road, fifty (50) feet, excepting on the east side of Granada Boulevard, between Avenue Castile and Coral Way, where lots shall have front yards of thirty-five (35) feet depth.

Coral Way, west of Anderson Road to Red Road, fifty (50) feet.

And lots in Country Club Section, Parts One, Four and Five, facing on both a golf course and a street or avenue (excepting lots in Block 50, Country Club Section, Part Four, abutting the golf course from Salvatierra Drive south

and east to the intersection of Bird Road and Granada Boulevard, and lots fronting on Santa Maria Street and Avenue Anastasia between Granada Boulevard and Avenue Sevilla) shall have front yards fifty (50) feet deep.

South Greenway Drive, thirty-five (35) feet.

North Greenway Drive from Coral Way, at Segovia Street to Avenue Asturias, thirty-five (35) feet.

Granada Boulevard in Country Club Section, Part Five, and Riviera Section, thirty-five (35) feet.

Anastasia Avenue between Granada Boulevard and Avenue Sevilla, thirty-five (35) feet.

Santa Maria Street, Ridge Road and Beira Mar, thirty (30) feet.

All property abutting upon Country Club Prado from Coral Way to South West Eighth Street, shall require a front set-back of thirty-five (35) feet, except in such blocks in which a now existing building is located upon a lesser front yard set-back. (392)

The front set-back on the East side of University Drive from Bird Road to Blue Road shall be thirty-five (35) feet. (373)

The front set-back on the East side of Alhambra Circle from Salvatierra Drive to the Southerly end of Alhambra Court and on Mariola Court and Bird Road to Granada Boulevard, for all lots having frontage on both a street and a golf course shall be fifty (50) feet. (373)

On all lots having frontage on a waterway, the set-back from the waterway for all buildings designed for occupancy shall be thirty-five (35) feet. (373)

The front set-back requirements in Block 45, CC No. 3, be and the same are hereby amended in accordance with the following schedule of set-backs:

LOTS	SETBACKS
15	40
16	41
17	42
18	43
19	44
20	45
21	46
22	47
23	48
24	49

(471)

In Coconut Grove Manor, Block 5, Lots 9 thru 16, both inclusive, 20 feet. (502)

In Coconut Grove Terrace, a front set back of thirty-five (35) feet for all lots on the east side of Harlano Street, including lots abutting thereon; and a front setback of twenty-five (25) feet for all lots on the west side of Harlano Street, including the corner lots abutting thereon are required. (340)

In Block 144, Country Club 6, for all lots abutting to Avenue Cadima, 20 feet. (R2643)

All lots on north side of Block 152, Country Club No. 6, 20 feet. (R-2647)

Alhambra Plaza from Galiano Street to Douglas Road, being Lots 16 to 40, inclusive, Block 22, and Lots 1 to 25, inclusive, Block 30, Section "L" ten (10) feet. (479)

All lots lying in Cortez Place Subdivision having a frontage on Avenues Catalina, Angelo and Trascoro shall have front yards of fifteen (15) feet in depth. (359)

Any lot less than seventy-five (75) feet in depth, fifteen (15) feet. Where due to curved contour of front or rear of lots or otherwise, the lots in a block fronting on a curving street are of varying depth, so that the requirement herein for a front yard of uniform depth in all lots in such block would constitute a hardship in the case of lots of lesser depths; the front yards shall be of that depth required to constitute such relative uniformity as shall best preserve the appearance and desirability of the lots when improved; and the City Manager and Building Inspector shall jointly establish and approve such front yard depth, so determined,

in the case of each tract as the same shall be improved, but in no case shall the front yard depth requirement be less than twenty-five (25) feet, except in cases where such minimum shall exceed the minimum depth required by restrictions contained in deeds under which the owner derives title to the premises. The irregular shape of a lot shall not excuse the application of the minimum front yard requirement.

All that section of Coral Gables abutting Flagler street, a minimum set-back of 35 feet from center line of Flagler street. (500)

15 foot minimum setback along Industrial Avenue for Lots 31 through 57, Coconut Grove Warehouse Center Subdivision.

15 foot minimum front setback for all lots zoned residential in Coconut Grove Warehouse Center Subdivision, McFarlane Homestead Subdivision and Golden Gate Subdivision.

Minimum front setback of 17 feet for all lots abutting Miami Homestead Highway in Coconut Grove Warehouse Center Subdivision.

Minimum front setback of 30 feet for all lots abutting Miami Homestead Highway in MacFarlane Homestead Subdivision except for that portion of Tracts A and B of replat of Block 5, MacFarlane Homestead Subdivision abutting upon Miami Homestead Highway, for which the minimum front setback shall be 15 feet.

Minimum front setback of 30 feet for that portion of Tract 1 of revised plat of MacFarlane Homestead and Coconut Grove Warehouse Center Subdivision, abutting upon Miami Homestead Highway.

Minimum front setback of 25 feet for all lots or portions of lots abutting upon Miami Homestead Highway in Golden Gate Subdivision.

Minimum setback of 25 feet for the portion abutting upon the Miami Homestead Highway of that tract described as that portion of the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 20, Township 54 South, of Range 41 East, lying between Miami Homestead Highway and F.E.C. Railroad.

Minimum front setback of 20 feet for all lots abutting Grand Avenue in MacFarlane Homestead Subdivision.

Minimum front setback of 5 feet for all lots or portions of lots abutting Grand Avenue in Golden Gate Subdivision.

Minimum setback of 35 feet from the east-west center line of Section 20, Township 54 South, Range 41 East, for that portion of the NW $\frac{1}{4}$  of SE $\frac{1}{4}$  of Section 20, Township 54 South, of Range 41 East, lying between Miami Homestead Highway and F.E.C. Railroad, abutting upon Blue Road.

Lots in areas wholly surrounded by water, no front, side or rear yard restrictions.

Any other lot in Coral Gables shall have a front yard twenty-five (25) feet deep except that where an existing building is built at a lesser distance from the front lot line, the other lots facing on the same side of the street in the same block shall have front yards of the same depth.

In Biltmore Section, Block 39, Lots 10 to 18, both inclusive, 20 feet. (496)

In the case of a corner lot which has one side on a street which other lots in the same block face, a building on such a corner lot must be set back the same distance from such side street as is provided herein for lots facing such side street.

#### REAR AND SIDE YARD REQUIREMENTS

A corner lot, except as otherwise provided, shall have a side yard fifteen (15) feet wide on the side street and five (5) feet wide on the other side. (318)

A five (5) foot minimum side and rear setback for all lots zoned residential in Coconut Grove Warehouse Center Subdivision, McFarlane Homestead Subdivision and Golden Gate Subdivision.

Lots in Section "B" abutting on LeJeune Road between Coral Way and the Northern boundary of the City, shall have side yards on LeJeune Road not less than seven and one-half (7 $\frac{1}{2}$ ) feet wide. (318)

Inside lots shall have side yards of a total width of twenty (20%) per cent of the width of the lot measured across the building setback line, and in no case less than five feet on either side between the side line of the lot and any part of the structure; provided, however, that porte cocheres, which for the purpose of this ordinance is defined as being supporting columns and a roof attached to the main building for the purpose of providing a covered driveway, may be located at a distance from the side line of the lot not less than six (6%) per cent of the lot measured across the building setback line; and provided further, that detached garages, the rear of which are located five feet from the rear lot line, may be located not closer than three feet from the side lot line. (281)

All lots more than one hundred (100) feet in width shall have minimum aggregate side yards of not less than twenty (20) feet in width, with not less than five (5) feet on any one side. (373)

All lots not abutting on an alley in rear shall have a rear yard at least five (5) feet deep.

#### 2. In all Apartment Districts, all Lots Shall Have:

(a) Front yards of minimum fifteen (15) feet depth, except as elsewhere herein provided for lots fronting on Coral Way between Le Jeune Road and Anderson Road. (579)

(b) Front yards of minimum of twenty-five (25) feet depth on Coral Way between LeJeune Road and Anderson Road. (367)

(c) Side yards of minimum width of ten (10) feet on each side of the lot. (457)

When more than one apartment building is built upon a single lot or parcel, the distance between any two such buildings, when measured in a direction parallel to the front line of the lot, shall be at least equal to the side yard set-back distance herein required between two apartment buildings on separate and adjoining lots or parcels. (477)

Rear yards, five (5) feet deep.

R uses in A Use Districts are subject to the same front and rear yard requirements as the A use district, and to the minimum side yard requirement for R use districts.

#### 3. Commercial Districts

In C-1 use districts, a lot shall have a front yard ten (10) feet in depth.

In all C use districts, where there are no front yard requirements for commercial uses, none are required for R or A uses, but such R and A use buildings are subject to minimum side and rear yard and all other requirements for R and A districts.

No other front, side or rear yard requirement for C2 or C3 districts.

That in all areas or districts in the City of Coral Gables, zoned for C2 and C3 uses, where the property does not abut upon an alley or similar space, no building, structure, or appurtenance to such building or structure shall be constructed on the rear 10 feet of any lot or property.

That no impediment or obstruction, whether permanent or temporary, shall be placed upon, or permitted to be or remain upon the rear 10 feet of any lot or property in a district or area zoned for C2 or C3 purposes, where such property does not abut upon an alley or similar space.

That no building permit shall be issued for the construction of a building, structure or appurtenance to such building or structure in any C2 or C3 zoned district covering the rear 10 feet of any lot or property, or any part thereof, where such property does not abut upon an alley or similar space. (660)

#### 4. Manufacturing Districts.

No yard requirements for M districts.

#### SECTION 16. FACING LOT AND BUILDING

Every lot shall be deemed to face that highway on which it has its shortest dimension; and any building shall face the front of the lot; and be subject to the restrictions governing buildings on such highway on which it is deemed to face:



Excepting, however:

All lots at a corner on Alhambra Circle, DeSoto, Ponce de Leon, East Ponce de Leon, or West Ponce de Leon Boulevards, Indian Mound Trail, or Country Club Prado, shall be deemed facing on said Circle, Boulevards, Trail or Prado, as the case may be:

Lots on the south one-hundred-fifty feet of Blocks 10, 13 and 14 of Section "D" shall be governed by restrictions for other lots facing on Avenue Sevilla, west of Avenue San Domingo.

Lots in the one hundred (100) foot strip on either side of Ponce de Leon Boulevard shall be governed by restrictions for lots facing that boulevard.

Lots in Country Club Sections, Part 1, 4 and 5 facing on any two of either of the following, to-wit: a golf course, a highway or a waterway.

Lots 3 to 8, inclusive, Block 20, Section "D" and all lots in Block 36, Granada Section, shall be deemed to face upon San Domingo Street and Avenue Venetia, respectively and dwellings erected on said lots shall have their front and principal facade on said designated street or avenue. (333)

Whenever a lot is so shaped or situated that its facing may be uncertain or the specific restrictions herein provided may be ambiguous when applied thereto, it shall be subject to the highest restrictions that may be made applicable by either construction of the provisions hereof.

**SECTION 17.**

This ordinance shall be known as the Zoning Ordinance of the City of Coral Gables, Florida," and the maps hereto attached designated as the "District Maps," consisting of Use District Maps and Building Content and Area Maps.

Every building hereafter erected, constructed, reconstructed, or structurally altered shall be located on a lot as herein defined, and in no case shall there be more than one building on one lot except as herein provided for.

No lot area shall be so reduced or diminished that the yards or other open spaces hereby required shall be smaller than prescribed by this Ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established or shown on the Building Content and Area Map.

In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the health, safety, morals or general welfare of the community. It is not intended by this ordinance to interfere with, abrogate or annul any easements, covenants or other valid title restrictions imposed by agreements between parties, provided however, that where this ordinance imposes a higher standard upon the use of buildings or premises, or requires larger open spaces or other restrictions than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this ordinance shall control.

**SECTION 18. BUILDING CONTENT AND AREA DISTRICTS**

The City of Coral Gables is hereby divided into Building Content and Area districts (designated as BCA districts), and the boundaries of such districts by lots, blocks or areas, are shown on the Building Content and Area Maps attached hereto which together with the legends, words, figures, letters, symbols and other explanatory matters thereon shall be made parts of this ordinance as if the matters and information thereon were all fully described herein.

The minimum square foot area (exclusive of garages or garage apartments) required in residence buildings for R1, R2, R3 (excepting bungalow courts) and R4 uses, and for apartment buildings for A uses, the minimum ground area, in square feet, per family unit for bungalow courts and the cubic foot content per front foot of building, for C uses, are indicated on said BCA maps by certain letters and figures constituting code symbols; said code symbols represent the minimum requirements for buildings, hereafter erected of the type and for uses stated in this paragraph, and a table of said code symbols, together with the respective uses and

minimum requirements set opposite thereto and represented thereby as aforesaid is as follows:

Code Symbol	Use	Minimum Building Square Feet Required
CF 1	R1	750 (606)
CF 2	R4	1,045
CF 3	R1	990
CF 3½	R1	1,027
CF 4	R1	1,200
CF 5A	R1	1,409
CF 5	R1	1,527
CF 6	R1	1,727
CF 6½	R1	1,818
CF 7½	R1	2,000
CF 8	R1	2,155
CF 9	R1	2,364
CF 10	R1	2,500
CF 12	R1	3,045
CF 15	R1	3,682
CF 17½	R1	4,000
CF 20	R1	4,273
CFD 7½	R2	2,127
CFD 10	R2	2,500 (562)
CFA 8	A	2,427
CFA 10	A	3,027
CFA 12	A	3,409

Transpose every cubic foot content figure to a square foot area figure by dividing the former by eleven (11) so that every cubic foot content provision in the said ordinance and ordinances amending the same shall be transposed to a square foot area basis by taking one-eleventh (1/11th) of the cubic foot content figure. (376)

The method of determining the square foot area of existing or proposed buildings and structures or additions and enlargements thereto shall be to multiply the outside horizontal dimensions of the building or structure. Garages attached to and made a part of the main building or structure, and screened porches shall be figured as one-half (½) of the square foot area contained therein. Detached garages and garage apartments, patios and porte cocheres shall not be taken into account in calculating the minimum square foot area, as required by this ordinance. (281)

CFC 1	}	C-1	For 1-story building 750 cubic feet content per front foot of building
		C-2	or,
		C-3	
CFC 2	}	C-1	For two-story building, 1250 cubic feet content per front foot of building.
		C-2	
CFC 3	}	C-1	
		C-2	
CFM	}	M	For 1-story building 400 cubic feet content per front foot of building.
		or	
		M	For two-story building, 700 cubic feet content per front foot of building. (485)

Any commercial or industrial building now erected or hereafter erected may be permitted to have a separate building for the storage of storm shutters and other similar adjuncts to the main building, as well as separate building for the storage of garbage and trash cans and to keep the same from being exposed to public view providing, however, that proper facilities shall be made for cleaning same as required by standard health practices. (544)

Such separate building must be so designed and located so that it will not detract from or depreciate from the surrounding properties. (544)

Such separate building may be erected only at the rear of the property upon which it is to be located and under no condition whether for storage of shutters and other similar adjuncts and/or the screening of trash and garbage from the public view shall there be more than one such building erected. (544)

For this, such separate building must be erected within a radial distance of 100 feet from the building which it is to serve and before a permit may be issued by the Building Department for the construction of such separate building the plans must be submitted to and approved by the Board of Supervising Architects and the specifications therefore must meet the requirements of the building code as it now exists or may hereafter be amended. (544)

GABC R-3 Minimum ground area of Bungalow Court 2800 square feet.

In R-2 Use districts, single-family residence buildings shall be subject to CF-7½ minimum requirements, and in A-use districts, R-2 use buildings shall be subject to CF-7½ and R-1 use buildings to CF-5 minimum requirements, unless otherwise specified in this ordinance or accompanying maps.

In C-use districts, residence buildings shall be subject to CF-5 and apartment buildings to CFA-8 minimum requirements.

Apartments in Commercial districts shall be subject to minimum family unit floor area requirements in A use districts.

Lots in section "B" abutting on LeJeune Road from Coral Way northward to the city limits shall be R-2 areas instead of R-1; provided, however, that duplex dwellings to be erected in the above area shall be so designed as to give the external appearance of a single family dwelling; and provided further that such duplex dwellings be located only upon the lots immediately adjacent to LeJeune Road, or upon combinations of two lots, one of which is immediately adjacent to LeJeune Road. (281)

Lots in section "B" abutting on LeJeune Road, and the lots immediately adjacent thereto and to the west thereof when used in conjunction therewith, be subject to a CFD 7½ instead of CF 5 and CF 8 requirement. (281)

CFD-7½ requirements on the West side of LeJeune Road from Avenue Viscaya to the alley through Block 15. Biltmore Section, between Avenue Valencia and Almeria, and on the East side of LeJeune Road from Avenue Viscaya to the alley through Block 27, Crafts Section, between Avenues Palermo and Catalonia. Where lots do not face LeJeune Road a duplex building may be located only upon the lot immediately adjacent to LeJeune Road, or upon a combination of two lots, one of which is immediately adjacent to LeJeune Road. (490)

The floor area requirements in Block 45, CC No. 3, be and the same are hereby amended in accordance with the following schedule of minimum floor area requirements:

Lot	Square Foot Floor Area
15	2,500
16	2,500
17	2,750
18	2,750
19	3,000
20	3,000
21	3,250
22	3,250
23	3,500
24	3,500 (471)

Lots 1 to 10, inclusive, Block 119, Country Club Section, shall be subject to R-5 uses and particularly all residence uses, including fraternity and sorority houses in connection with the University of Miami, Inc. (322)

In all lots and lands lying east of LeJeune Road and south of the Miami Homestead Highway no single-family dwelling shall be erected on less than 2,500 square feet of land area, and no duplex dwelling shall be erected on less than 3,750 square feet of land area, and no dwelling designed for the occupancy of more than two families shall be erected on less than 5,000 square feet of land area. (320)

"Every building and every part or unit of every building intended for separate use or occupancy by any business, profession or occupation, shall have a minimum of at least 10 feet street frontage, such frontage being measured by the inside wall to wall dimension of the particular building or each separate unit thereof. (652)

All store rooms upon the ground floor of any building in areas zoned for commercial use, shall be required to have both a front and rear entrance; and the rear entrance shall open upon a street or alley, or upon a hallway or corridor with a minimum width of at least 44 inches, giving unobstructed access to a street or alley. (652)

**PERCENTAGE REDUCTION ON 75 AND 100 FOOT LOTS**

"On all zoning in residential areas of 1527 square feet and up where a residence is built upon 1½ lots or upon a tract having a minimum of 75 feet of frontage, a 5% reduction in square footage requirements is permitted; on all zoning in residential areas of 1527 square feet and up where a residence is built upon 2 lots or upon a tract having a minimum of 100 feet of frontage, a 10% reduction in square footage requirements is permitted; provided, however, that in no event shall the square footage of any residence be reduced by reason of the above percentage reductions, below 1475 square feet. "Lots" as used herein shall be construed to include only lots having a minimum of 50 feet frontage according to the plat thereof. Where advantage is taken of percentage reduction above permitted the minimum side setbacks on inside lots shall be 10 feet." (581)

**APARTMENT BUILDING FLOOR AREA**

Apartment buildings hereafter erected shall provide a floor area of not less than 600 square feet per family unit, except that efficiency apartments shall have not less than 400 square feet per unit. (476)

In all commercial districts, buildings (other than single-family dwellings), erected for dwelling purposes shall comply with the lot area and floor area per family regulations prescribed for apartment districts; and single-family dwellings in such commercial districts shall conform to the lot area regulations prescribed for R-1 uses.

Buildings constructed for residential use in business zones shall provide a ten (10) foot side yard or court on either side above the first story.

**BUNGALOW COURT GROUND AREA**

Bungalow or bungalow court apartments hereafter erected, reconstructed or structurally altered shall provide a minimum of not less than twenty-eight hundred (2800) square feet of ground area per family unit; a distance of at least ten (10) feet at its least dimension shall be provided between building walls, and at least 40% of the gross lot area shall be devoted to an outer court or courts for safe ingress and egress.

**FILLING STATIONS, CUBIC CONTENT AND OTHER REQUIREMENTS**

The construction of gasoline filling stations shall comply with the following requirements (a) The roof over the station shall be of tile, pitched, and extend from the station over the gasoline pumps. (b) The station building shall have a minimum content of not less than five-thousand (5,000) cubic feet.

The driveway shall be paved with poured concrete.

The actual construction cost of the station, exclusive of the driveway and equipment shall not be less than five thousand (\$5,000) dollars.

**Section 19. PERCENTAGE OF LOT AREA PERMITTED TO BE OCCUPIED BY BUILDINGS, EXCLUSIVE OF GARAGE**

Single family dwellings, two-family dwellings, apartments, studio apartments and garage apartments where permitted to be erected without other dwelling on lot; shall not (exclusive of private or apartment garage in other than R4 districts) occupy more than 35% of the lot area; and bungalow court apartments shall not occupy more than 40% of lot area.

**Section 20. MINIMUM GROUND AREA**

The following minimum ground areas are required for residence or apartment building construction:

**On presently unsubdivided land:**

North of Bird Road, 6,250 square feet.

South of Bird Road, north of Sunset (except Shriners' Golf Course and lower Biltmore Golf Course), 10,000 square feet. Shriners' and lower Biltmore Golf Courses, one acre. South of Sunset, 10,800 square feet.

Plats or replats shall have minimum inside lots 75 x 120 ft. and minimum corner lots 85 ft. x 120 ft. (R2652)

No plat of any subdivision containing smaller lots shall be approved.

**Section 21. MINIMUM LOT AREAS  
IN CERTAIN SECTIONS**

To effect the observance of plans and subdivision restrictions incorporated in deeds and contracts, as well as to effect the other stated purpose of this ordinance, no building shall be erected on less than two lots as at present platted of record in the following locations in the City of Coral Gables, namely:

1. **In Section A:** Facing Anderson Road, DeSoto Boulevard, Granada Boulevard, Columbus Boulevard, Coral Way or Plaza Columbus, except in the cases of lots at least fifty-five (55) feet wide, as at present platted.

2. **In Section B:** Facing Granada Boulevard, North Greenway Drive, South Greenway Drive, Coral Way or LeJeune Road, except in the case of lots at least fifty-five (55) feet wide, as at present platted.

3. **In Section C:** Facing Alhambra Circle, Granada Boulevard, Columbus Boulevard, Coral Way, North Greenway Drive or South Greenway Drive, except in the case of lots at least fifty-five (55) feet wide, as at present platted.

4. **In Section D:** Facing Avenue Sevilla, between Avenue San Domingo and Red Road; Coral Way, Alhambra Circle or Indian Mound Trail, except in the case of lots at least fifty-five (55) feet wide as at present platted, and no buildings shall be built on a plot less than seventy-five (75) feet wide facing on Country Club Prado.

5. **In Section E:** Facing Columbus Boulevard, south of South Greenway Drive, North Greenway Drive, Coral Way or Plaza Columbus, except in the case of lots at least fifty-five (55) feet wide as at present platted. And no building shall be built on a lot facing Country Club Prado, less than seventy-five feet wide.

6. **In Biltmore Section:** Facing Avenue Anastasia or Coral Way in all cases where presently platted lots are less than sixty (60) feet wide.

7. **In Coconut Grove Section:** In the case of all lots zoned for residence purposes, excepting Lot 30, Block 6; Lot 32, Block 11; Lot 18, Block 7; Lot 17, Block 10; Lot 12, Block 25; Lot 19, Block 29.

8. **In Douglas Section:** In Blocks 7, 15, and 20, and on West Ponce de Leon and East Ponce de Leon Boulevard, except in the case lots at least fifty-five (55) feet wide as at present platted.

9. **In Granada Section:** Facing Granada Boulevard, except in the case of lots at least fifty-five (55) feet wide as at present platted; and facing Country Club Prado no building shall be built on a plot having a less frontage than seventy-five (75) feet.

10. **In Flagler Section:** Facing Ponce de Leon Boulevard except where presently platted are at least fifty-five feet wide.

11. **In Country Club Section, Part One:** Facing Alhambra Circle or Columbus Boulevard, Granada Boulevard, abutting a golf course or on Avenue Sevilla, west of Avenue San Domingo.

12. **In Country Club Section, Part Two:** Facing on Avenue Anastasia, Anderson Road or Granada Boulevard, except in the case of lots at least fifty-five (55) feet wide as at present platted.

13. **In Country Club Section, Part Three:** Facing University Drive or Granada Boulevard where lots are less than 59 feet wide, and elsewhere in said section where lots are less than 50 feet wide. (678)

14. **In Country Club Section, Part Four:** Abutting a golf course, or where presently platted lots are less than fifty (50) feet wide.

15. **In Country Club Section, Part Six:** Facing Avenue Anastasia or University Drive or Riviera Drive in all cases where presently platted lots are less than sixty(60) feet wide.

16. In the case of all property zoned for C uses where the same is to be improved for R uses.

In no case shall a residence building be built on a plot having a less street frontage than fifty (50) feet.

**Section 22. CERTIFICATE OF OCCUPANCY**

(1) A Certificate of Occupancy, either for the whole or a part of a new building, or for alteration of an existing building, shall be applied for coincident with the application for a Building Permit and shall be issued within three (3) days after the erection or alteration of such building or part shall have been completed in conformity with the provisions of this ordinance.

(2) A certificate of occupancy for the use or occupancy of vacant land, or for a change in the use of the land, or for a change in the use of an existing building, shall be applied for and issued before any such land shall be occupied or used, or changed in use, and such Certificate shall be issued within three (3) days after application has been made, provided such proposed use is in conformity with the provisions of this ordinance, and provided the structure to be occupied is in conformity with the "Building Code" of The City of Coral Gables.

(3) No vacant land shall be occupied or used, and no structure hereafter erected, constructed, reconstructed, or structurally altered shall be used or changed in use until a Certificate of Occupancy shall have been issued by the Building Inspector.

(4) Upon written request of the owner, the Building Inspector shall issue a Certificate of Occupancy for any building or premises existing at the time of enactment of this ordinance, certifying after inspection, the extent and kind of use made of the building, or premises, and whether such use conforms with the provisions of this ordinance.

**Section 23. ENFORCEMENT OF ORDINANCE**

This ordinance shall be enforced by the Building Inspector who is hereby empowered and whose express duty it is hereby made to administer this ordinance in conjunction with the administration of such portions of the general ordinances of the City of Coral Gables as are commonly designated as the building code of the City of Coral Gables in such a manner as to facilitate their joint administration for the purpose of enforcing this ordinance. The authority vested in him under said building code is hereby declared to be vested in him under this ordinance.

**Section 24. BOARD OF SUPERVISING ARCHITECTS  
AND STRUCTURAL ENGINEERS (653)**

(1) Five Supervising Architects shall be appointed by the City Manager, with the approval of the City Commission, and together shall constitute the Board of Supervising Architects (hereinafter called the "Board"). Three of the five supervising Architects appointed to the Board in 1950 shall be appointed for a term ending June 30, 1951, and the remaining two shall be appointed for a term ending June 30, 1952; thereafter all appointments shall be for a term of two years, ending June 30 of the second year after appointment, and until their successors are appointed and shall qualify.

(2) The members of the Board shall elect a Chairman and a Vice-Chairman from among themselves, to serve for a one year term commencing July 1 of each year. Both such officers must be members of the American Institute of Architects. The members of the Board shall have the following qualifications:

(a) Each member shall have had ten years experience in the practice of his profession and must either be a resident or have his principal place of business in the City of Coral Gables.

(b) All members shall be registered architects in the State of Florida, and at least three of the five members of the Board shall be members of the American Institute of Architects.

(3) The Supervising Architects shall meet as a Board to consider and act upon plans and specifications submitted in connection with applications for building or sign permits, as hereinafter required. The approval of at least three supervising architects, signified by their signatures on each set of plans and specifications required to be submitted with each application for a permit, shall be a prerequisite for issuance of any building or sign permit required herein to be approved by the Board.

(4) The Board shall meet at least once each month, and at such other times as the Board may determine, for the consideration of the business before the Board. All meetings of the Board shall be open to the public. The order of business and the procedure to be followed at meetings shall be prescribed by the Board. Three members of the Board shall constitute a quorum, and the affirmative vote of a majority of the Board shall be necessary for any action thereof. The Board may appoint the Building Inspector or any of its members to act as its Secretary, and a record of its proceedings shall be kept, showing its action on each question considered. Such record shall be filed in the office of the Building Inspector of the City of Coral Gables and shall be open for public inspection. Any Supervising Architect who shall be absent from five consecutive meetings of the Board, unless excused from attendance by the City Manager, shall thenceforth automatically cease to be a member of the Board, and the City Manager shall, within ten days after such vacancy is created, appoint a successor to serve for the remainder of such time.

(5) The Structural Engineer shall be appointed by the City Manager, with the approval of the City Commission. The appointment made in the year 1950 shall be for a term ending June 30, 1951, and all appointments thereafter shall be for two year terms ending June 30 of the second year following the appointment, and until a successor shall be appointed and shall qualify.

(6) No permit shall be issued by the Building Inspector for the erection of, or any alteration or addition to, any building, structure or sign in the City of Coral Gables in any case where matters of structural design for which standards are not specifically prescribed by the Building Code of the City of Coral Gables are involved, until said structural design has been approved by the Structural Engineer. Such approval shall be signified by the signature of the Structural Engineer on all sets of plans or specifications required to be submitted in connection with the application for a permit.

(7) No person, firm or corporation shall commence, or cause to be commenced, the erection, construction or alteration of any building, structure or sign within the City of Coral Gables, until an application for a permit therefor has been previously filed with the City of Coral Gables, as provided herein and by all other ordinances of the city, and until a permit therefor has first been issued by the city. No person, firm or corporation shall commence, or cause to be commenced, any repair to any existing building, structure or sign in the City of Coral Gables until an application for a permit therefor has been previously filed with the City of Coral Gables, as provided herein and by all other ordinances of the city. No repairs shall be commenced upon any building, structure or sign until a permit therefor has been first issued by the City of Coral Gables, in every case where such proposed repairs will exceed \$50 in cost. All work done under and pursuant to any building or sign permit issued by the City of Coral Gables shall conform to the plans and/or specifications therefor as approved prior to the issuance of such permit, and any deviation therefrom shall constitute a violation of this ordinance.

(8) Every application for a permit to erect a building or structure, or to materially alter a front or side elevation of any existing building or structure, in the City of Coral Gables, shall be accompanied by two sets of detailed plans and one set of specifications for such proposed work, prepared by a registered architect or registered engineer qualified under the laws of the State of Florida to prepare such plans and specifications, and no permit therefor shall be issued until such plans and specifications shall have been previously approved by the Board as hereinabove provided. No plans or specifications in violation of this or any other ordinance of the City of Coral Gables shall be approved.

(9) Every application for a permit to erect, install, affix or paint any sign on any structure within the City of Coral Gables shall be accompanied by two copies of a photograph (minimum size 8" x 10") or scale drawing, showing the elevation of the building or structure upon which the sign is to be placed, with the proposed sign and lettering of the sign superimposed thereon in correct ratio to the scale of the photograph or drawing, and with a notation thereon showing the type and size of lettering to be used and the color or colors of the proposed sign; and no permit therefor

shall be issued until such plan, photograph or scale drawing shall have been previously approved by the Board as hereinabove provided. No existing sign may be altered in any way without a permit therefor having been previously issued, following the same procedure as above set forth and after approval of the plans or drawings by the Board. No plans in violation of this or any other ordinance of the City of Coral Gables shall be approved.

(10) It shall be the duty of the Board, the Structural Engineer and the Building Inspector to require such changes, if any, in any plan and/or specifications presented as may be necessary to conform to the provisions of this and all other ordinances of the City of Coral Gables, with due regard to any existing deed restrictions not in conflict herewith. The said Board may also suggest or recommend such changes in said plans and specifications as in its judgment may be requisite or appropriate to the maintenance of a high standard of construction, architecture, beauty and harmony.

(11) Each applicant for or holder of a permit authorizing exterior painting, coloring or awning work shall be required to submit to the Board for its approval, prior to the execution of such work, sample of the color to be used in such work; and the Board shall require the use of appropriate and harmonious color therein.

(12) Each Supervising Architect shall be remunerated in the sum of \$1.00, and the Structural Engineer shall be remunerated in the sum of \$2.00, for each plan or set of plans approved and signed by him in accordance with provisions of this section. Such fees shall not be paid unless and until a permit for such work has been issued by the City of Coral Gables.

(13) An appeal from any decision of the Board, the Structural Engineer or the Building Inspector may be taken to the Zoning Board of Appeals by any person who is aggrieved by such decision, or by any officer of the city. At the time any such appeal is considered by the Zoning Board of Appeals such Board shall give both the Board of Supervising Architects, or the Building Inspector, or the Structural Engineer, as the case may be, and the appealing party an opportunity to be heard.

#### Section 25. ZONING BOARD OF APPEALS (653)

(1) A Zoning Board of Appeals, (hereinafter referred to as the "Zoning Board") is hereby established, which shall consist of five members, appointed by the Mayor with the approval of the City Commission. The Superintendent of Public Works shall act as a non-voting, ex-officio member of the Board, and as secretary thereof.

(2) The three members of the Zoning Board to be appointed in 1950, for terms beginning prior to July 1, 1950, shall be appointed for a term ending June 30, 1951, and until their successors are appointed and shall qualify; the two members of the Zoning Board to be appointed in 1950, for terms beginning July 1, 1950, shall be appointed for a term ending June 30, 1952, and until their successors are appointed and shall qualify; thereafter all appointments shall be for a term of two years, ending June 30 of the second year after appointment, and until their successors are appointed and shall qualify.

(3) The members of the Zoning Board shall elect a Chairman and Vice-Chairman from among themselves, to serve for a term of one year commencing July 1 of each year. Each member of the Zoning Board, at the time of his appointment, must have been a resident of the City of Coral Gables, or must have had his principal place of business in the City of Coral Gables, for at least ten years.

(4) The Zoning Board shall hold regular meetings on the second and fourth Mondays of each month, and special meetings at such times as the Board may determine, or at the call of the Chairman thereof, for the consideration of business before the Board. All meetings of the Zoning Board shall be open to the public. The time and place of meetings, and the order of business and procedure to be followed at meetings, shall be prescribed by the Board. Three members of the Zoning Board shall constitute a quorum, and the affirmative vote of a majority of the Board shall be necessary for any action thereof; provided, however, that in all cases where an amendment to this ordinance is under consideration, and the owners of record of at least twenty per cent

(20%) of the property included in such proposed change, or of the property within the area affected as defined by the Zoning Board, file with the Board a written protest against such proposed change, then no recommendation of such amendment shall be made by the Zoning Board except on the affirmative vote of four-fifths of the members of the Board. A written record of the proceedings of the Zoning Board shall be kept, showing its action on each question considered. Such record shall be filed in the office of the Secretary of the Zoning Board, and shall be open for public inspection.

(5) The Zoning Board shall have power to construe the provisions of this ordinance so that the spirit and the true purpose thereof may be observed. It shall recommend in writing to the City Commission such amendments to this ordinance as it may deem proper and expedient, or necessary to clarify or to carry into effect the purpose of this ordinance. The Zoning Board shall have no power to authorize any variances or exceptions from the terms of this ordinance, but shall recommend in writing to the City Commission such variances and exceptions to the terms of this ordinance as it may deem proper and expedient, or necessary to carry into effect the purpose of this ordinance. No variance or exception from this ordinance, and no amendment to this ordinance which changes the permitted use or reduces the minimum building area more than 5% of any specifically designed property, shall be recommended to the City Commission by the Zoning Board without a hearing having been held before such Board at which persons interested shall be accorded an opportunity to be heard.

(6) In every case where an amendment to this ordinance is requested or proposed, or where an exception or variance from the terms of this ordinance is requested, the Zoning Board shall define the limits of the specific area, if any, which may be adversely affected by the proposed amendment, exception or variance, and may provide that individual notice of the consideration thereof be given to the owners of all property in such affected area in person or by mail, as the Zoning Board shall prescribe; provided, however, that in case of notice by mail such notice shall be mailed not less than five days before the date of hearing; and provided, further, that in all cases of hearings upon proposed or requested amendments to this ordinance which will change the minimum building area requirements more than 5%, or the permitted use, of any specifically designated property, public notice of such hearing shall also be published one time in a newspaper of general circulation published in the City of Coral Gables or in Dade County, Florida, at least ten days prior to the date of such hearing. All notices shall state in substance the change desired to be effected.

(7) Applicants for variances or exceptions from or amendments to this ordinance shall file a written request therefor with the Secretary of the Zoning Board on forms prescribed by him. Applicants shall be required to pay a fee of Ten Dollars (\$10.00) at the time of filing such application; provided, that in the event a special meeting of the Zoning Board is requested or required for consideration of the requested change the applicant shall be required to pay a fee of Twenty Five Dollars (\$25.00) at the time of filing such application. No application for any change shall be heard or considered by the Zoning Board except after written application therefor and payment of the fee as above set forth; but the Zoning Board, on its own initiative or upon the request of the City Commission, may make recommendations to the City Commission of amendments to this ordinance which it may deem proper or expedient, after notice as above provided to the owners of affected property, if any, in all cases where the proposed amendment will reduce the minimum building area requirements more than 5%, or change the permitted use, of any specifically designated property.

Whenever any application for change of zoning shall have been finally determined, no other or further application for change of zoning with reference to the particular property affected by said application, or with reference to other property similarly situated, will be considered for a period of six months following the date of such action. Should conditions affecting such property materially change in the opinion of the City Commission, or should a modified plan of rezoning be presented to the City Commission, either of which, in the opinion of the Commission would justify action before the

expiration of such six month period, the Commission, by a four-fifths majority may permit the filing of such application for rezoning notwithstanding this ordinance. (681)

(8) Each member of the Zoning Board, except the Chairman, shall be remunerated in the sum of \$5.00 for each regular or special meeting of the Zoning Board attended by such member. The Chairman shall be remunerated in the sum of \$7.50 for each regular or special meeting attended by him.

(9) An appeal from any decision of the Zoning Board upon any matter initiated before such Board, or before it upon appeals from decisions of the Board of Supervising Architects, Structural Engineer, or Building Inspector, may be taken to the City Commission by any person who is aggrieved by such decision, or by any officer of the City. Any person desiring to appeal a ruling of the Zoning Board shall, within thirty days from the date of such ruling, file a written notice of appeal with the City Clerk, whose duty it shall then become to send written notice of such appeal to all persons who were required by the Zoning Board to be notified of the hearing before such Board; the matter shall then be heard by the City Commission at its next regular meeting, provided at least ten days shall intervene between the time of the filing of the notice and the date of such regular meeting; and if ten days shall not intervene between the time of filing of the notice and the date of the next regular meeting, then the appeal shall be heard at the next following regular meeting of the City Commission. An appeal to the City Commission shall stay all proceedings in furtherance of the action appealed from, until the final disposition of the appeal.

(10) Variances and exceptions from the terms of this ordinance, not involving a change of use, or a reduction of minimum building area requirements of more than 5% of specifically designated property, may be authorized or permitted by the City Commission, by resolution, from time to time as it may deem necessary or proper. Any other change or amendment to this ordinance shall be made only by ordinance duly passed and adopted by the City Commission. Any proposed variance, exception or amendment from or to this ordinance which has failed to receive the recommendation of the Zoning Board shall not be passed except by the affirmative vote of four-fifths of all the members of the City Commission. No amendments reducing the minimum building area requirement more than 5%, or changing the permitted use, of any specifically designated property shall be adopted by the City Commission until after a hearing thereon has been held by the Zoning Board, after notice as required hereinabove." (653)

## Section 26. VIOLATION AND PENALTIES

For any and every violation of the provisions of this ordinance the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of a building or premises, in which part such violation has been committed or shall exist, and the general agent, architect, builder, contractor, sub-contractor or any person who commits, takes part in or assists in such violation or who maintains any building or premises in which any such violations shall exist, shall for each and every violation and for each and every day or part thereof that such violation continues, be subject to a fine of not more than five hundred (\$500.00) dollars or imprisonment in the City jail for a term of not exceeding sixty (60) days, or both at the discretion of the municipal judge. Legal remedies for violations shall be had and violations shall be prosecuted in the same manner as is prescribed by law or ordinance for the prosecution of other violations, effective in the City of Coral Gables. (437)

## Section 27. REMEDIES

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure, or land is used, in violation of this ordinance or of any other ordinance or lawful regulation, the proper authorities of the City of Coral Gables in addition to the remedies herein provided for, may institute any appropriate action or proceeding to prevent such unlawful

the final hearing, together with a proposed ordinance to effect any change recommended. The City Commission may enact the ordinance with or without change, or may refer it back to the Board for further consideration. Any proposed variation or amendment which fails to receive the approval of the Board of Appeals shall not be passed except by the favorable vote of four-fifths (4-5th) of all the members of the City Commission. (503)

(6) An appeal from the decision of the Supervising Architect, the Structural Engineer or the Building Inspector may be taken to the Zoning Board by any person or by any official of the City who shall feel aggrieved by such decision. The Board shall hear and decide all matters referred to it by the City Commission.

The Board shall prescribe by general rule a reasonable time in which notice of appeal shall be filed with the Board specifying the grounds thereof; the officer from whom the appeal is taken shall upon such notice filed, forthwith transmit to the Board all the papers constituting the records upon which the action appealed from was taken.

An appeal shall stay all proceedings in furtherance of the action appealed from, until the final disposition of the appeal unless the Board or the City Commission shall otherwise direct.

Should the owners of record of twenty per-cent (20%) or more of an area of lots or land included in such proposed change, or within the area affected, as defined by the Board, file a written protest against such proposed amendment, no recommendation for change shall be made except by the favorable votes of four-fifths (4-5ths) of the members of the Board.

#### Section 26. VIOLATION AND PENALTIES

For any and every violation of the provisions of this ordinance the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of an entire building or entire premises where such violation has been committed or shall exist, and the owner, general agent, contractor, lessee or tenant of any part of a building or premises, in which part such violation has been committed or shall exist, and the general agent, architect, builder, contractor, sub-contractor or any person who commits, takes part in or assists in such violation or who maintains any building or premises in which any such violations shall exist, shall for each and every violation and for each and every day or part thereof that such violation continues, be subject to a fine of not more than five hundred (\$500.00) dollars or imprisonment in the City jail for a term of not exceeding sixty (60) days, or both at the discretion of the municipal judge. Legal remedies for violations shall be had and violations shall be prosecuted in the same manner as is prescribed by law or ordinance for the prosecution of other violations, effective in the City of Coral Gables. (437)

#### Section 27. REMEDIES

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure, or land is used, in violation of this ordinance or of any other ordinance or lawful regulation, the proper authorities of the City of Coral Gables in addition to the remedies herein provided for, may institute any appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, or to impose a penalty for such violation, or to restrain, correct or abate such violation in order to prevent the occupancy or use of said building, structure or land contrary to the provisions hereof, or to prevent any illegal act, conduct, business or use in or about such premises.

#### Section 28. VALIDITY OF ORDINANCES. Repeal

If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder of this ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Ordinance No. 153 of the City of Coral Gables, known as the Zoning Ordinance, is hereby repealed.

#### Section 29. EFFECT ON PRESENT ORDINANCES

This ordinance shall not be construed as repealing or modifying any other valid ordinances of the City of Coral Gables now in effect which restrict the location of industries, entertainments, occupations, establishments or enterprises of any kind, except in so far as this ordinance shall be in conflict therewith.

#### Section 30. WHEN EFFECTIVE

This Ordinance, No. 271, shall take effect and be in force from and after its passage, approval and due publication.

Passed and adopted, this 16th day of February, A. D. 1937.

APPROVED:

Roscoe Brunstetter,  
MAYOR

ATTEST:

G. N. Shaw,  
CITY CLERK

Note: The numbers of amending ordinances are shown in brackets following or adjoining the subject matter affected.

erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, or to impose a penalty for such violation, or to restrain, correct or abate such violation in order to prevent the occupancy or use of said building, structure or land contrary to the provisions hereof, or to prevent any illegal act, conduct, business or use in or about such premises.

**Section 28. VALIDITY OF ORDINANCES. Repeal**

If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder of this ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Ordinance No. 153 of the City of Coral Gables, known as the Zoning Ordinance, is hereby repealed.

**Section 29. EFFECT ON PRESENT ORDINANCES**

This ordinance shall not be construed as repealing or

modifying any other valid ordinances of the City of Coral Gables now in effect which restrict the location of industries, entertainments, occupations, establishments or enterprises of any kind, except in so far as this ordinance shall be in conflict therewith.

**Section 30. WHEN EFFECTIVE**

This Ordinance, No. 271, shall take effect and be in force from and after its passage, approval and due publication.  
Passed and adopted, this 16th day of February, A. D. 1937.

APPROVED:

Roscoe Brunstetter,  
MAYOR

ATTEST:

G. N. Shaw,  
CITY CLERK

Note: The numbers of amending ordinances are shown in brackets following or adjoining the subject matter affected.