



To: Venny Torre

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

A handwritten signature in blue ink, appearing to be "CL", is written over the name "Craig E. Leen".

RE: Legal Opinion Regarding Lot Separation Issue - Request For Review Of Extension

Date: May 28, 2015

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Your explanation is sufficient for me to resolve this matter by granting an extension of the time period based on excusable neglect pursuant to my authority under section 2-201 of the City Code and section 2-702 of the Zoning Code. I am asking the Planning and Zoning Director to have his department assist you in obtaining the necessary document to be recorded.

## Herbello, Stephanie

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**From:** Leen, Craig  
**Sent:** Thursday, May 28, 2015 5:30 PM  
**To:** Herbello, Stephanie  
**Cc:** Ramos, Miriam; Figueroa, Yanneris  
**Subject:** FW: Lot separation issue 239 Sarto - request for review of extension

Stephanie, please publish as a City Attorney Opinion.

**Craig E. Leen, City Attorney**  
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City, County and Local Government Law*  
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**From:** Leen, Craig  
**Sent:** Thursday, May 28, 2015 5:27 PM  
**To:** 'Venny Torre'  
**Cc:** Dionne; vtorre; Trias, Ramon; Gonzalez, Elizabeth; Ramos, Miriam; Figueroa, Yanneris  
**Subject:** RE: Lot separation issue 239 Sarto - request for review of extension

Your explanation is sufficient for me to resolve this matter by granting an extension of the time period based on excusable neglect pursuant to my authority under section 2-201 of the City Code and section 2-702 of the Zoning Code. I am asking the Planning and Zoning Director to have his department assist you in obtaining the necessary document to be recorded.

**Craig E. Leen, City Attorney**  
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**From:** Venny Torre [<mailto:venny@torrecompanies.com>]  
**Sent:** Thursday, May 28, 2015 5:04 PM  
**To:** Leen, Craig  
**Cc:** Dionne; vtorre; Trias, Ramon; Gonzalez, Elizabeth  
**Subject:** Lot separation issue 239 Sarto - request for review of extension

Hello Craig.

I know you are extremely busy, so I truly appreciate you following up on this for me.

As I have mentioned earlier, I have a situation that came up in where the letter authorizing the separation of the property at 239 Sarto Ave. expired before we had a chance to record it. When we tried to correct the problem we took additional time to correct it, and that actually exacerbated the problem causing us to go further beyond the allotted time.

We had a couple of things that happened that threw us off. For example, we were unsure when the appeal period actually ended. As you can see from the letter attached, it tells you that you have 30 days from the end of the appeal period ends, but we were unsure of when that date was, inadvertently we missed it. I went in to see Mr. Trias about this (we were probably very close to the required date) and he said for us to just take it to be recorded.

We then hired a processor to take document to be recorded, but that process took a few days to accomplish and then to make matters worse she took a copy, ( we thought we had misplaced the original ), and the County refused to record it because document presented was not an original. We then asked Mr. Trias for a replacement letter, but by the time it got to his desk, etc. he felt it was past the point of him feeling comfortable preparing a replacement original letter.

We are trying to see if you would be able to find a way for the original Building determination Site letter can be recorded without having to start the whole process all over again. According to the code it need to be recorded within a specific time frame, so you would have to agree to us recording it based on some waiver or conditional agreement.

Hope all of this makes sense.

Feel free to call me if you need any additional explanation.

Thanks a lot in advance.

*Venny Torre*

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