



To: Irela Ferrer

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

A handwritten signature in black ink, appearing to be "CL", is written over the end of the "From:" line.

RE: Legal Opinion Regarding Floating Dock

Date: November 14, 2013

Yes, I agree with your email and would apply the interpretation in that manner. Thank you for the kind words about my office. It is always good to speak with you as well.

Hernandez, Cristina

From: Leen, Craig
Sent: Thursday, November 14, 2013 11:21 PM
To: Hernandez, Cristina
Subject: Fwd: THE DOCK AT 460 (AND ONE OTHER) SECTION 5-805.D.1.2
Attachments: image001.png

Please place in the opinion folder.

Sent from my iPhone

Begin forwarded message:

From: "Leen, Craig" <cleen@coralgables.com>
Date: November 14, 2013 at 11:19:40 PM EST
To: "Ferrer, Irela" <iferrer@coralgables.com>
Subject: Re: THE DOCK AT 460 (AND ONE OTHER) SECTION 5-805.D.1.2

Yes, I agree with your email and would apply the interpretation in that manner. Thank you for the kind words about my office. It is always good to speak with you as well. Best regards, Craig

Craig E. Leen
City Attorney

Sent from my iPhone

On Nov 14, 2013, at 5:06 PM, "Ferrer, Irela" <iferrer@coralgables.com> wrote:

Craig , thank you very much for your interpretation.

If you don't mind, could you please, clarify the following items?

This interpretation will be for the number of allowed structures in single family dwelling or duplex, as long as they comply with setbacks, site specific regulations, if applicable, and the rest of section 5-805, correct?

Thus, this will allow for any single family residence or duplex to have one of each, if desired, with a total of three (3) structures: one set of davits, a watercraft lift, and a floating watercraft lift (all 3) right?

Then, if for properties with 200' of waterway frontages, one additional davit will be allowed, then the maximum/ total number of allowed structures will be 4?; (2 sets of davits, 1 watercraft lift, and 1 floating watercraft lift ?)

Thanks again for your help.

I really appreciate and enjoy the interactions with you and your office staff.

Best,

IRELA FERRER
ZONING TECHNICIAN
DEVELOPMENT SERVICES DEPARTMENT

ZONING DIVISION
305 569 1824

<image001.png>

From: Leen, Craig
Sent: Thursday, November 14, 2013 3:34 PM
To: Ferrer, Irela
Cc: Trias, Ramon
Subject: FW: THE DOCK AT 460 (AND ONE OTHER)

Irela,

I just received a call from Commissioner Quesada, who forwarded me the email below. It is my view, based on the instructions from the City Commission at the Commission meeting, that the language below is to be interpreted so that a property can have a floating watercraft lift along with a watercraft lift.

Please let me know if Ramon or you would like to further discuss.

Craig E. Leen
City Attorney

From: Frank C. Quesada [<mailto:Frank@quesadalaw.net>]
Sent: Thursday, November 14, 2013 3:26 PM
To: Leen, Craig
Subject: FW: THE DOCK AT 460 (AND ONE OTHER)

FYI

From: Glenn Larson [<mailto:GLarson@DockandMarine.net>]
Sent: Thursday, November 14, 2013 2:44 PM
To: Frank C. Quesada
Subject: THE DOCK AT 460 (AND ONE OTHER)

They have issued permits on 2 other projects. They will now allow floating docks and boat lifts good news.

It was their understanding that each property would be allowed one boat lift, and or one floating boat lift.

However the code currently states in Article 5: " D. Permitted number of davits, watercraft lift or floating watercraft lift:

1. One (1) set of davits, watercraft lift or floating watercraft lift may be permitted for each single-family dwelling or duplex.
2. On properties with two hundred (200) feet or more of waterfront lot width one (1) additional set of davits may be permitted for each single-family dwelling or duplex."

They want to amend the code or at least have the wording approved for the amendment to read something like "One (1) set of davits, watercraft lift may be permitted for each single-family dwelling or duplex, in addition one floating

watercraft lift or floating dock may be permitted (so long as it meets county, and state requirements (and whatever other necessary notations))

Ill send a few code options for Irela to review with Ramon, The files are in her hands, Ramon is approaching these with caution and asking for her guidance as she and Elizabeth are the more knowledgeable in these areas of docks and waterways.

Section 5-805. Davits, watercraft lifts and floating watercraft lifts.

Davits, watercraft lifts and floating watercraft lifts shall be permitted as an accessory use to property in residential district, subject to the following conditions and restrictions, except as further provided for specific properties and the Mahi Canal in Appendix A:

That the appropriateness of the proposed location shall be reviewed and approved by a city administrative site plan approval.

That certified engineering drawings be submitted with details of the proposed method of attachment.

That the minimum side setback for such davits, watercraft lifts or floating watercraft lifts shall be the same as the minimum side setbacks, extended, for the main structure.

Permitted number of davits, watercraft lift or floating watercraft lift:

1. One (1) set of davits, watercraft lift or floating watercraft lift may be permitted for each single family dwelling or duplex.
2. On properties with two hundred (200) feet or more of waterfront lot width one (1) additional set of davits may be permitted for each single-family dwelling or duplex.
3. Multi-family buildings may have at least one (1) set of davits, watercraft lift or floating watercraft lift, but may not have more than one (1) set of davits, watercraft lift or floating watercraft lift per ten (10) residential dwelling units.