



To: Erick Tejera, Zoning Technician for the City of Coral Gables

From: Cristina M. Suárez, Assistant City Attorney for the City of Coral Gables

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

RE: Legal Opinion Regarding 1030 San Pedro and 13007 San Jose Street

Date: April 17, 2017

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In connection with proposed projects currently under review at 1030 San Pedro and 13007 San Jose Street, our office has been asked to interpret Section 5-802(A) of the Zoning Code which provides, in relevant part, that a dock cannot be constructed “more than five (5) feet outward from the bank.” It is our understanding that the proposed projects include repair to the seawall and that an issue has been raised as to whether the point of measurement, referred to as “bank” in Section 5-802(A), is the edge of the existing seawall or the new, reinforced seawall. We have been advised by the contractor on these projects that historically, the face of the seawall cap or bulkhead (as reinforced), has always been the point of measurement for the 5 feet of dock. Thus, for purposes of measuring the 5 feet that a proposed dock may extend outward when the seawall is being reasonably reinforced (and not to circumvent the requirements), “bank” shall refer to the edge of the proposed reinforced seawall. The proposed dock, of course, remains subject to the requirement in 5-802(C) that there must remain at least 75 feet of open unobstructed navigable water.

This opinion is issued pursuant to Sections 2-201(e)(1) and (8) of the City Code and Section 2-702 of the City of Coral Gables Zoning Code.

**From:** [Leen, Craig](#)  
**To:** [Paulk, Enga](#)  
**Subject:** FW: 1030 San Pedro and 13007 San Jose Street  
**Date:** Monday, April 17, 2017 4:58:55 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

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Please publish.

**Craig E. Leen, City Attorney**

*Board Certified by the Florida Bar in  
City, County and Local Government Law*  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, Florida 33134  
Phone: (305) 460-5218  
Fax: (305) 460-5264  
Email: [cleen@coralgables.com](mailto:cleen@coralgables.com)



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**From:** Suarez, Cristina  
**Sent:** Friday, April 14, 2017 5:58 PM  
**To:** Tejera, Erick <etejera@coralgables.com>  
**Cc:** Leen, Craig <cleen@coralgables.com>; 'Glenn Larson' <glarson@dockandmarine.net>  
**Subject:** 1030 San Pedro and 13007 San Jose Street

Erik:

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This opinion is issued pursuant to Sections 2-201(e)(1) and (8) of the City Code and Section 2-702 of the City of Coral Gables Zoning Code.

Thanks,  
Cristina

**Cristina M. Suárez**

**Assistant City Attorney**

City of Coral Gables

405 Biltmore Way, 3rd Floor

Coral Gables, Florida 33134

Main Phone: (305) 460-5218

**Direct Dial: (305) 476-7231**

Email: [csuarez@coralgables.com](mailto:csuarez@coralgables.com)



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