



Board of Adjustment Application

City of Coral Gables

Development Services Department

Phone# 305.460.5235

Preamble

Pursuant to the City Charter, and subject to those provisions, a Board of Adjustment is created to provide relief from hardships and errors in the application of the regulations.

Application review request

The undersigned applicant(s)/agent(s)/property owner(s) request(s) a Board of Adjustment hearing for the following application(s) (please check all that apply):

☐ Appeal

☒ Variance

☐ Other: _____

Property information

Property/project name: The Gables Condo

Street address of the subject property: 10 Edgewater

Property Legal Description: Lot(s): _____

Block(s): All of Blks 3 & 4 & E 235ft of BLK 5

Section(s): Sunrise Harbor Rev PL

Plat Book(s)/Page(s): PB 65-22

Has there been a Board of Adjustment hearing on the property in the last year? no

Is this request the result of a Notice of Violation? no

Is this request the result of a deviation from an approved set of plans? no

Has the property owner owned the property for at least one (1) year? _____

Current land use classification(s): 6400 Commercial - Central

Current zoning classification(s): 6400 Commercial - Central

Listing of all folio numbers for subject property:

03-4129-066-0001

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General information

Applicant(s)/Agent(s) Name(s): Dock and Marine Construction / Glen Larson
Telephone#: 305-751-9911 Fax#: _____ Email: glarson @ dockandmarine.net
Mailing Address: 752 NE 79th Street Miami, FL 33138
(City) (State) (ZIP Code)

Property Owner(s) Name(s): _____
Telephone#: _____ Fax#: _____ Email: _____ @ _____
Mailing Address: 401 Casuarina Concourse Coral Gables, FL 33143
(City) (State) (ZIP Code)

Property Owner(s) Name(s): The Gables Condominium and Club Association
Telephone#: 305-740-9111 Fax#: _____ Email: generalmanager @ thegablesclub.org
Mailing Address: 10 Edgewater Drive Coral Gables, FL 33133
(City) (State) (ZIP Code)

Project Architect(s) Name(s): Leandro Fernandez
Telephone#: 786-390-7493 Fax#: _____ Email: leaf @ leafengineers.net
Mailing Address: 756 NE 79th ST Miami, FL 33138
(City) (State) (ZIP Code)

Provide the date(s) and type(s) of application(s) previously filed with the City of Coral Gables and type of reviews, approvals, actions related to this request:

Application received by: _____ Date: _____

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Application requirements and supporting information

The Development Services Department cannot accept applications that are not complete for any hearing before the Board of Adjustment. Failure to provide the information necessary pursuant to the established time frames included but not limited to application submittal, submission of revised documents, etc. for review by City Staff and the designated reviewing entity may cause application to be deferred without further review until such time the requested information is submitted.

Pre-application Meeting Requirements. A pre-application meeting is required to be held in advance of an application submittal to determine the information necessary to be filed with the application(s). The City reserves the right to request additional information as necessary.

Application submittal (order of documents). The order of the documents for the application submittal shall be as follows (required documents will be determined at pre-application meeting):

- ☐ Table of Contents with page numbers identifying all below documents.
- ☐ Completed Application.
- ☐ Applicant's proposal.
- ☐ Letter of intent.
- ☐ Standards for Variances #1 through #8.
- ☐ Owner's Affidavit.
- ☐ Proof of ownership if ownership of the property has changed in the last year.
- ☐ Full size set of plans (stamped by the Board of Architects).
- ☐ Plans in 11" x 17" size format (13 sets).
- ☐ Color photographs (35mm or digital photographs), must be labeled (13 sets).
- ☐ One (1) compact disc (CD) containing required plans and color photographs.
- ☐ Signed and sealed survey (indicate any tree disposition necessary if affected by proposed work).
- ☐ Aerial.
- ☐ Other (letter of support, rescheduling letter, etc.) _____.

Application supporting materials. The following application supporting materials shall be provided separately from the application submittal and are as follows:

- ☐ Application fees.
- ☐ One (1) original certified mailing list.
- ☐ Three (3) sets of mailing labels.
- ☐ City of Coral Gables Annual Registration Application and Issue Application Lobbyist forms.

Posting of the property. The City shall post the subject property with a City approved sign advising of the Board of Adjustment meeting date. The public notice posting shall be in accordance with the Zoning Code. The sign shall be installed ten (10) days prior to the meeting and shall not be removed until after the meeting, at which time it is the applicant's responsibility to remove the sign.

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Applicant/agent/property owner/architect affirmation and consent

(I) (We) affirm and certify to all of the following:

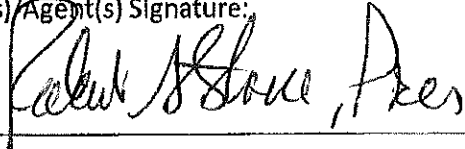
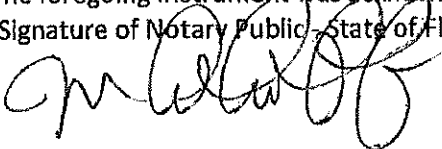
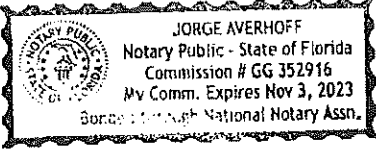
1. The application will not be heard unless the Applicant/Agent is present at the Board of Adjustment hearing.
2. The subject property will be posted with a City approved public notice sign. The sign shall be installed a minimum of ten (10) days prior to the meeting and shall not be removed until after the meeting, at which time it is the applicant's responsibility to remove the sign.
3. No application shall be accepted during the following time periods after the denial of a substantially similar application affecting the same property or any portion thereof:
 - a. Conditional uses and variances: six (6) months.
 - b. Comprehensive Plan Map Amendment, Comprehensive Plan Text Amendment, Zoning Code Map Amendment, Zoning Code Text Amendment, amendments and applications for abandonment and vacation of non-fee interests: twelve (12) months (Section 3-210. Resubmission of application affecting same property).
4. That the only variance or items being requested are those that have been specified in the written application for a variance, and any other code or plan issues will be corrected by modifying the plans to comply with the respective codes and ordinances of the City of Coral Gables.
5. That the applicant will be responsible for complying with all of the conditions and restrictions imposed by the Board of Adjustment in connection with the requested variance, and will take the necessary steps to make the variance effective if approved by the Board of Adjustment.
6. That it is the responsibility of the applicant to submit a complete application with all of the documents necessary for the Board of Adjustment to hear the applicant's request.
7. That the applicant is responsible for the submission and accuracy of a certified mailing list and three (3) sets of mailing labels according to the latest ad valorem tax record of all property owners within one-thousand (1,000) feet of the property for which a public hearing before the Board of Adjustment is being requested.
8. Any variance granted by the Board of Adjustment or the City Commission shall be in effect for twelve (12) months from the date of approval. If a permit is not issued within the twelve (12) months, and work commenced, then the variance shall become null and void. One (1) twelve (12) month extension of a variance may be granted by the Development Review Official.
9. That the application fee is not refundable or any portion thereof regardless of final resolution, deferment, or non-presentation to the Board of Adjustment.
10. That all the information contained in this application and all documentation submitted herewith is true to the best of (my) (our) knowledge and belief.
11. Understand that the application, all attachments and fees become a part of the official records of the City of Coral Gables and are not returnable.
12. Failure to provide the information necessary pursuant to the established time frames included but not limited to application submittal, submission of revised documents, etc. for review by City Staff and the designated reviewing entity may cause application to be deferred without further review until such time the requested information is submitted.
13. Applicant has read and understands all of the information in the City of Coral Gables Board of Adjustment Information brochure.
14. All representatives of the application have registered with and completed lobbyist forms for the City of Coral Gables City Clerk's office.

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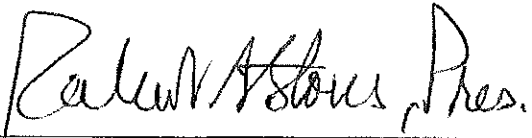
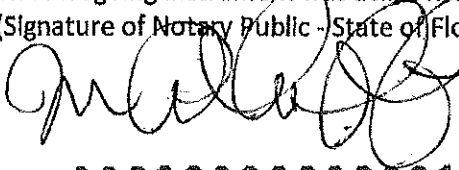
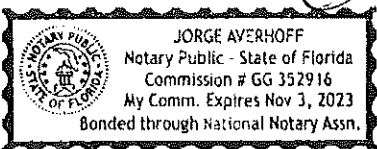
15. Understand that under Florida Law, all the information submitted as part of the application are public records.

16. Submission of the following:

- a. Warranty deed/tax record as proof of ownership for all properties considered as a part of the application request; or
- b. Authorized as the applicant(s)/agent(s) identified herein to file this application and act on behalf of all current property owner(s) and modify any valid City of Coral Gables entitlements in effect during the entire review process.

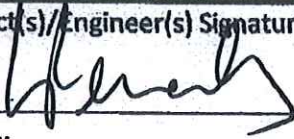
Applicant(s)/Agent(s) Signature: 	Applicant(s)/Agent(s) Print Name: ROBERT A. STONE
Address: 10 EDGEWATER DRIVE #6-C CORAL GABLES, FL 33133	
Telephone: (305) 798-2900	Fax:
Email: RSTONE@KAMFMANROSSIN.COM	
NOTARIZATION	
STATE OF FLORIDA/COUNTY OF	
The foregoing instrument was acknowledged before me this <u>22</u> day of <u>MARCH</u> by <u>ROBERT A. STONE</u>	
(Signature of Notary Public, State of Florida) 	
	
(Print, Type or Stamp Commissioned Name of Notary Public)	
<input checked="" type="checkbox"/> Personally Known OR <input type="checkbox"/> Produced Identification; Type of Identification Produced _____	

Board of Adjustment Application

Property Owner(s) Signature: 	Property Owner(s) Print Name: ROBERT A. STONE
Property Owner(s) Signature:	Property Owner(s) Print Name:
Property Owner(s) Signature:	Property Owner(s) Print Name:
Address: 10 E DOWEL WATER DR #6-C CORAL GABLES, FL 33133	
Telephone: (305) 798-7900	Fax:
Email: RSTONE@KRAUFMANRUSSIN.COM	
<p style="text-align: center;">NOTARIZATION</p> <p>STATE OF FLORIDA/COUNTY OF</p> <p>The foregoing instrument was acknowledged before me this <u>22</u> day of <u>MARCH</u> by <u>ROBERT A. STONE</u></p> <p>(Signature of Notary Public - State of Florida)</p>   <p>(Print, Type or Stamp Commissioned Name of Notary Public)</p> <p><input checked="" type="checkbox"/> Personally Known OR <input type="checkbox"/> Produced Identification; Type of Identification Produced _____</p>	

Board of Adjustment Application

Architect(s)/Engineer(s) Signature:



Architect(s)/Engineer(s) Print Name:

LEANDRO FERNANDEZ, PE

Address:

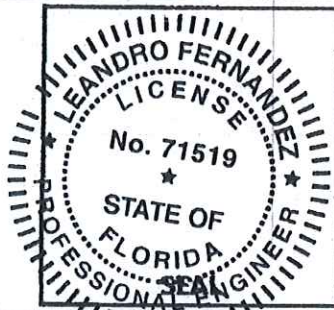
756 NE 79 STREET, MIAMI, FL 33138

Telephone: 786.390.7493

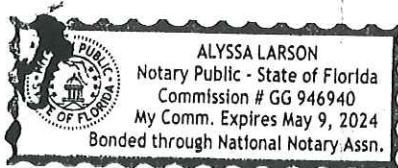
Fax:

Email:

LEAF@LEAFENGINEERING.NET

**NOTARIZATION**

STATE OF FLORIDA/COUNTY OF

The foregoing instrument was acknowledged before me this 28 day of March by Leandro Fernandez
(Signature of Notary Public - State of Florida)

(Print, Type or Stamp Commissioned Name of Notary Public)

☒ Personally Known OR ☐ Produced Identification; Type of Identification Produced _____**Attachments:**

- A. Board of Adjustment supporting information.
- B. Board of Adjustment Calendar.
- C. Board of Adjustment Application Fee Schedule.
- D. Certified Mailing List Service Providers.

Applicants Proposal

We respectfully request that the board of adjustments approve a variance for the installation of a new boat lift at 10 Edgewater Drive to improve access to the water for the slip owner

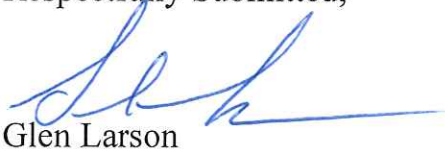
The code we wish to obtain a variance for is: ***Section 3-705 – Davits, watercraft lifts and floating watercraft lifts.***

E. That watercraft lifts or floating watercraft lifts shall not extend beyond twenty-five (25) feet from the banks of waterways.

The boat lift is located in an existing marina and falls within the limits of the existing slip.

We request that the City grant a variance allowing the proposed lift be allowed to extend 33'-10" into the waterway, vs. the allowed extension of 25 feet beyond the property line as per: ***Section 3-705 – Davits, watercraft lifts and floating watercraft lifts.***

Respectfully Submitted,



Glen Larson

Dock and Marine Construction Corp.

Letter of Intent for:
10 Edgewater Dr.
New Lift

We are requesting approval for 1 variances at the residence located at 10 Edgewater Drive, associated with the construction of a boatlift, a portion of which will exceed the 25' setback from the bank/ property line (shown on the survey as being the mean water line of the bank) as per ***Section 3-705 – Davits, watercraft lifts and floating watercraft lifts.***, into the adjacent waterway/basin.

The proposed project includes: Constructing a new boatlift, as detailed in the plans that accompany this package.

The property currently has an existing marina that is to remain. The proposed lift, is inside of existing marina slip area but will extend out into the waterway 33'-10" from the bank,

Our hardship is: The owner's access and use to his existing dock in conjunction with his existing boat is reduced to an in water slip, the investment of the vessel and manufacture recommend that the boat be kept out of the water. The hardship is that several of the neighboring properties are able to enjoy access with similar on boat lifts which are common accessories. As per Miami Dade County D.E.R.M. , the proposed structure is in compliance with their code and regulations.

The size of the lift is not over, or beyond the limits of Coral Gables or any other agency involved in the permit process. We have ACOE approval and State DEP approval, and preliminary DERM approval. The distance from the shoreline, is the minimum needed, to dock boats in a similar manner to what adjacent homeowners have at their property. The boats that the owner wishes to dock at his property are similar to all vessels docked in the Cocoplum and adjacent coral gables neighborhoods.

The installation of these accessories will in no way interfere with navigation, the waterway at this property is 220' feet from bank to bank. The installation of this structure is located across from an undeveloped shoreline, if mirrored on the opposing shoreline will allow for over 100 feet of clear passage. The minimum allowed by code is 75'

Respectfully submitted,


Glen Larson

Dock and Marine Construction Corp.

Standards for variances

Section 3-806

A. In order to authorize any variance from the terms of these regulations, the Board of Adjustment or Historic Preservation Board, as the case may be, shall find:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

- *Special conditions and circumstances exist which are peculiar to the land, and are not applicable to all other lands in the zoning district. This is an existing marina with existing boat slips created which extend beyond the limits set forth in the code.*

2. That the special conditions and circumstances do not result from the actions of the applicant.

- *These conditions are not a result of any actions of the applicant, they are circumstances that have arisen due to the existing footprint of the marina, which was constructed with approval of the board of adjustments several decades ago.*

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.

- *The variance will not allow the applicant any privilege that is denied by these regulations to the other lands, buildings or structures in the same zoning district. It is for the purpose of docking a boat, in an existing slip, a privilege that is enjoyed by all of his neighbors.*

4. That literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations and would work unnecessary and undue hardship on the applicant.

- *The literal interpretation of the provision of these regulations would deprive the applicant of rights commonly enjoyed by other adjacent properties in the same zoning district under the terms of these regulations, and would work unnecessary and undue hardship on the applicant by not allowing him the same access to the water through his property.*

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

- *Granting the variance is the minimum variance that will make possible the reasonable use of the land, and provide access to the water, similar to what the adjacent properties enjoy.*

6. That granting the variance will not change the use to one that is not permitted in the zoning district or different from other land in the same district.

- *Granting the variance will not change the use to one, or anyone that is not permitted in the zoning district or different from other land in the same district*

7. That the granting of the variance will be in harmony with the general intent and purpose of these regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

- *The Granting of the variance will be in harmony with the general intent and purpose of these regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. It will not protrude into any waterway farther than any structure falling within the line of adjacent shorelines. (see aerial view distance analysis attached)*

8. That the granting of the variance is appropriate for the continued preservation of an historic landmark or historic landmark district.

- *The granting of this variance is not applicable for the continued preservation of historic landmarks and or districts.*



February 13, 2023

The City of Coral Gables
485 Biltmore Way
Coral Gables, Florida 33134

Re: The Gables Condominium and Club Association, Inc. – Marina slips boat lift installation.

To whom it may concern:

This is to inform you that marina boat slips #6, #11 and #14 at The Gables Condominium and Club Association, Inc. located at 10-60 Edgewater Drive, Coral Gables, Florida 33133 are owned by the Association and will allow said licensed slip leasee to proceed with installation of boat lifts, with work to be performed by their selected licensed contractors.

The unit owners shall comply with condominium-approved rules and specifications and said work is to be performed in accordance with South Florida Building Code requirements.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Jorge Averhoff, LCAM, CMCA, AMS
General Manager