

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2018-120

A RESOLUTION AUTHORIZING AN ENCROACHMENT INTO THE PUBLIC RIGHT-OF-WAY, CONSISTING OF THE INSTALLATION OF A GREASE TRAP IN THE REAR ALLEY, SUBJECT TO THE REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENTS, ADJACENT TO 2530 PONCE DE LEON BOULEVARD, CORAL GABLES, FLORIDA.

WHEREAS, Mrs. Diana Gouchee, on behalf of 2530 Ponce LLC / Peter Wenzel, Owner, has requested permission to encroach into the right-of-way adjacent to 2530 Ponce de Leon Boulevard, Coral Gables, Florida; and

WHEREAS, the proposed encroachment consists of the installation/replacement of a grease trap in the rear alley subject to the requirements of the Public Works Department; and

WHEREAS, the proposed encroachment has been reviewed by the City's Public Works and Development Services' Departments under permit number RV-18-02-1972; and

WHEREAS, the existing "grease trap" encroachment does not meet the new requirements set by DERM, a new more efficient model will be installed at the same location;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption.

SECTION 2. That a request for encroachment, consisting of the installation of the of a grease trap in the rear alley adjacent to 2530 Ponce de Leon Boulevard, subject to the requirements of the Public Works on property legally described as Lot 27, Block 7, of "Coral Gables Crafts Section" according to the plat thereof, as recorded in Plat Book 10, at Page 40, of the public records of Miami-Dade County, Florida, shall be and is hereby approved, subject to the following requirements:


- a. The proposed encroachments shall conform to the Florida Building Code and all pertinent Codes;
- b. The City of Coral Gables reserves the right to remove, add, maintain, or have the Owner remove any of the improvements within the right-of-way, at Owner's expense;
- c. The Owner shall maintain the proposed encroachments in good condition at all times, at Owner's expense;
- d. In the event the Public Works Department must issue a permit for a utility cut in the future, affecting the area in which the encroachments are approved, the Owner shall replace any portion of the approved encroachment, at Owner's expense;

- e. The Owner shall meet with the City Attorney's office for the purpose of providing all the information necessary for the office to prepare a Restrictive Covenant to be executed by the Owner, which runs with the title of the property, and which states, in addition to the above mentioned requirements, that the Owner will provide Public Liability Insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as an additional insured under the policy;
- f. The copies of the Restrictive Covenant, when fully executed and filed, together with certification of required insurance, shall be presented to the Development Services and Public Works Departments and permits thereafter be obtained for the work from both of these Departments.

SECTION 3. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY- FOURTH DAY OF APRIL, A. D., 2018.
(Moved: Lago / Seconded: Quesada)
(Unanimous Voice Vote)
(Agenda Item: D-2)

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED:



RAUL VALDES - FAULI
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS
CITY ATTORNEY