



**City of Coral Gables
CITY COMMISSION MEETING
JUNE 26, 2008**

ITEM TITLE:

Appearance of Jeffrey E. Lehrman, Esq., on behalf of the applicant. Giralda PB, LLC., for permission to allow existing encroachments into the right-of-way, consisting of a soakage pit, including a slab covered trench and a manhole for building drainage purposes, to remain, adjacent to 2222 Ponce de Leon Boulevard, Coral Gables, Florida.

CITY MANAGER'S RECOMMENDATION:

That the request for encroachments consisting of a soakage pit, adjacent to 2222 Ponce de Leon Blvd, on property legally described as Lots 25 through 29 and the East 24.1 feet of Lot 30, Block 28 of "Coral Gables Section "K", according to the plat thereof as recorded in Plat Book 8, Page 33 of the Public Records of Miami-Dade County, be approved, subject to the following requirements of the Public Works Department.

BRIEF HISTORY:

The request was made by Jeffrey E. Lehrman, Esq., on behalf of the applicant. Giralda PB, LLC., for permission to allow existing encroachments into the right-of-way, consisting of a soakage pit, including a slab covered trench and a manhole for building drainage purposes which had been in use since approximately 1972, to remain, adjacent to 2222 Ponce de Leon Boulevard, Coral Gables.

A search of the City records revealed that there is not a Restrictive Covenant and Public Liability Insurance covering the existing encroachments. Therefore, it is required that the owner provide all these documents and meet all the City requirements.

It is recommended that this request be approved, subject to the following requirements of the Public Works Department.

- a. That the existing encroachments shall conform to the Florida Building Code and all pertinent Codes.
- b. That the City of Coral Gables reserves the right to remove, add, maintain, or have the Applicant remove any of the improvements within the right-of-way and at Applicant's expense.
- c. That the Applicant maintains the existing encroachments in good condition at all times and at Applicant's expense.
- d. The Applicant meets with the City Attorney's office for the purpose of providing all the information necessary for that office to prepare a Restrictive Covenant to be executed by the Applicant which runs with the title of the property, and which states, in addition to the above mentioned, that the Applicant 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.

- e. That copies of the Restrictive Covenant, when fully executed and filed, together with certification of required insurance, shall be presented to the Building and Zoning Department and to the Public Works Department, and permits thereafter be obtained for the work from both of these Departments.

- f. That the Applicant shall replace, at the Applicant's expense, any portion of the encroachment affected, in the event the Public Works Department must issue a permit for a utility cut in the future in the area in which the encroachments are approved, the Applicant shall replace the proposed encroachments so cut by the utility, at Applicant's expense.

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
10-05-06	Board of Architects	Approved the Project

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager

ATTACHMENT(S):

1. Cover form w/Draft Resolution
2. Letter of Request
3. Drawings