

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2016-131

A RESOLUTION AUTHORIZING ENCROACHMENTS AT SNAPPER CREEK SUBDIVISION CONSISTING OF A 786 FT., 6'-0" HIGH ALUMINUM FENCE ALONG THE WEST PROPERTY LINE OF TWO MIAMI-DADE COUNTY PARCELS AND THE EAST BORDER OF THE "WATER MANAGEMENT DISTRICT" CANAL RIGHT-OF-WAY WITHIN THE SNAPPER CREEK LAKES SUBDIVISION, CORAL GABLES; SUBJECT TO REQUIREMENTS OF THE PUBLIC WORKS DEPARTMENT.

WHEREAS, Mr. Joseph A. Hassan, President of Snapper Creek Lakes Club, Inc., is requesting authorization for encroachments at the Snapper Creek Subdivision consisting of installation of a 786 ft., 6'-0" high aluminum fence along the west property line of two Miami-Dade County parcels and the east border of the "Water Management District" canal right-of-way within the Snapper Creek Subdivision, Coral Gables; and

WHEREAS, the proposed encroachment has been reviewed and approved by the City's Board of Architects on April 1, 2016, under permit number **AB-16-04- 5636**, which includes the proposed fence encroachments, shown in the plans prepared by Ruben Travieso, Architect; and

WHEREAS, preliminary approvals have been obtained from "South Florida Water Management District" and "Miami-Dade County Parks and Recreation Department";

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 the request for encroachments at the Snapper Creek Lakes Subdivision consisting of installation of a 786 ft., 6'-0" high aluminum fence along the west property line of two Miami-Dade County parcels and the east border of the "Water Management District" canal right-of-way within the Snapper Creek Subdivision shall be and it is hereby approved, subject to the following requirements of the Public Works Department:


- a. That the pedestrian bridge above the Snapper Creek canal be maintained open with "no gates" at all times;
- b. That the proposed encroachments shall conform to the Florida Building Code and all pertinent Codes;
- c. That the City of Coral Gables reserves the right to remove, add, maintain, or have Snapper Creek Lakes Club, Inc. remove any of the improvements within the right-of-way, at Snapper Creek Lakes, Inc.'s expense;
- d. That Snapper Creek Lakes Club, Inc. shall maintain the proposed encroachments in good condition at all times, at Snapper Creek Lakes Club, Inc.'s expense;

- e. That 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, Snapper Creek Lakes Club, Inc. shall replace any portion of the approved encroachment, at Snapper Creek Lakes Club , Inc.'s expense;
- f. That Snapper Creek Lakes Club, Inc. shall meet with the City Attorney's office for the purpose of providing all of the information necessary for the office to prepare a Restrictive Covenant to be executed by Snapper Creek Lakes Club, Inc., which runs with the title of the property, and which states, in addition to the above mentioned requirements, that Snapper Creek Lakes Club, Inc. 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;
- g. That copies of the Restrictive Covenant, when fully executed and filed, together with certification of required insurance, be presented to the Development Services and Public Works Departments and permits thereafter be obtained for the work from both of these Departments.
- h. That a permit from the authority with jurisdiction be obtained for the gate required by South Florida Water Management District.

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 MAY, A. D., 2016.
(Moved: Slesnick / Seconded: Quesada)
(Yeas: Lago, Quesada, Slesnick, Keon, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: C-13)

ATTEST:


WALTER J. FOEMAN
CITY CLERK

APPROVED:


JIM CASON
MAYOR

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


CRAIG E. LEEN
CITY ATTORNEY