



**City of Coral Gables
CITY COMMISSION MEETING
October 25, 2016**

ITEM TITLE:

A Resolution authorizing encroachments into the public right-of-way, consisting of the installation of two steel canopies, that extend a distance of three feet (3' - 0") beyond the property line, at an elevation of at least ten feet eight inches (10' - 8") above the sidewalk, four handrails encroaching seventeen inches (17") into the sidewalk, landscape, landscape lighting and irrigation, adjacent to 2728 Ponce de Leon Boulevard, Coral Gables, Florida.

DEPARTMENT HEAD RECOMMENDATION:

Approval.

BRIEF HISTORY:

Mr. Burton Hersh, Architect, on behalf of Skyy Properties, Inc., Owner, has requested permission to encroach into the right-of-way with two steel canopies, that extend a distance of three feet (3' - 0") beyond the property line, at an elevation of at least ten feet eight inches (10' - 8") above the sidewalk, four handrails encroaching seventeen inches (17") into the sidewalk, landscape, landscape lighting and irrigation adjacent to 2728 Ponce de Leon Boulevard, Coral Gables, Florida.

The proposed encroachment was reviewed and approved by the City's Board of Architects on May 19, 2016 under permit number AB-13-02-1667; and it is included in the exterior improvements plans for the 2728 Ponce de Leon Boulevard prepared by Burton Hersh Architecture / Planning, and processed under building permit number BL-15-01-1126.

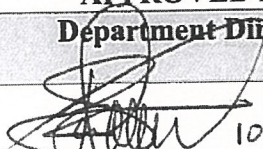
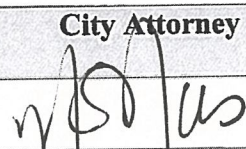

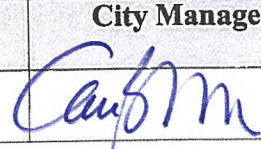
It is recommended that this request be approved, subject to the following requirements of the Public Works Department.

- 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.

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
May 19, 2016	Board of Architects	Approved

APPROVED BY:

Department Director	City Attorney	Assistant City Manager	City Manager
 10/15/14			

ATTACHMENT(S):

1. Proposed Resolution
2. Letter of Request from Burton H. Hersh, AIA
3. Proposed Plans (Shell and ROW improvements)