



To: Erick Tejera, Zoning Technician for the City of Coral Gables

From: Cristina M. Suárez, Assistant City Attorney for the City of Coral Gables

Approved: Craig E. Leen, City Attorney for the City of Coral Gables

A handwritten signature in blue ink, appearing to be "CL", is written over the name "Craig E. Leen".

RE: Legal Opinion Regarding 1030 San Pedro and 13007 San Jose Street

Date: April 17, 2017

In connection with proposed projects currently under review at 1030 San Pedro and 13007 San Jose Street, our office has been asked to interpret Section 5-802(A) of the Zoning Code which provides, in relevant part, that a dock cannot be constructed “more than five (5) feet outward from the bank.” It is our understanding that the proposed projects include repair to the seawall and that an issue has been raised as to whether the point of measurement, referred to as “bank” in Section 5-802(A), is the edge of the existing seawall or the new, reinforced seawall. We have been advised by the contractor on these projects that historically, the face of the seawall cap or bulkhead (as reinforced), has always been the point of measurement for the 5 feet of dock. Thus, for purposes of measuring the 5 feet that a proposed dock may extend outward when the seawall is being reasonably reinforced (and not to circumvent the requirements), “bank” shall refer to the edge of the proposed reinforced seawall. The proposed dock, of course, remains subject to the requirement in 5-802(C) that there must remain at least 75 feet of open unobstructed navigable water.

This opinion is issued pursuant to Sections 2-201(e)(1) and (8) of the City Code and Section 2-702 of the City of Coral Gables Zoning Code.

From: [Leen, Craig](#)
To: [Paulk, Enga](#)
Subject: FW: 1030 San Pedro and 13007 San Jose Street
Date: Monday, April 17, 2017 4:58:55 PM
Attachments: [image001.png](#)
[image002.png](#)

Please publish.

Craig E. Leen, City Attorney

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City, County and Local Government Law*
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From: Suarez, Cristina
Sent: Friday, April 14, 2017 5:58 PM
To: Tejera, Erick <etejera@coralgables.com>
Cc: Leen, Craig <cleen@coralgables.com>; 'Glenn Larson' <glarson@dockandmarine.net>
Subject: 1030 San Pedro and 13007 San Jose Street

Erik:

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This opinion is issued pursuant to Sections 2-201(e)(1) and (8) of the City Code and Section 2-702 of the City of Coral Gables Zoning Code.

Thanks,
Cristina

Cristina M. Suárez

Assistant City Attorney

City of Coral Gables

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