

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, FOLLOWING A DULY NOTICED PUBLIC HEARING, AS REQUIRED PURSUANT TO SECTION 82-93(b), FINDING THAT THE CRITERIA SET FORTH IN SECTION 82-94 OF THE CITY CODE HAS BEEN SATISFIED, AND APPROVING A REVOCABLE PERMIT REQUEST BY 544 LAKEVIEW COURT IRREVOCABLE TRUST, (THE "APPLICANT") FOR THE PROPERTY LOCATED AT 544 LAKEVIEW COURT, MIAMI BEACH (THE "PROPERTY") TO ALLOW FOR A SEAWALL REPAIR AND REINFORCEMENT; SUCH SEAWALL IS APPROXIMATELY THREE (3) FEET WIDE AND APPROXIMATELY 209 FEET IN LENGTH, CURRENTLY ENCROACHING FIVE (5) FEET NINE (9) INCHES AT ITS MAXIMUM DIMENSION INTO CITY SUBMERGED LANDS, THE PROPOSED REPAIR OF WHICH WILL FURTHER ENCROACH TO A MAXIMUM DIMENSION OF NINE (9) FEET TWO (2) INCHES FOR A TOTAL OF 1,599 SQUARE FEET; AND AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE THE REVOCABLE PERMIT.**

**WHEREAS**, 544 Lakeview Court Irrevocable Trust (the Applicant) is requesting the approval of a revocable permit for the property located at 544 Lakeview Court ("the Property"), to allow for a seawall repair and reinforcement; and

**WHEREAS**, the existing seawall is approximately three (3) feet wide and approximately 209 feet in length; and

**WHEREAS**, the seawall currently encroaches five (5) feet nine (9) inches at its maximum dimension; and

**WHEREAS**, the proposed repair of which will further encroach to a maximum dimension of nine (9) feet two (2) inches for a total of 1,599 square feet; and authorizing the Mayor and the City Clerk to execute the revocable permit; and

**WHEREAS**, in accordance with Resolution No. 2016-29454, the proposed seawall will be constructed to a height of 5.7 feet NAVD; and

**WHEREAS**, pursuant to Section 82-93(a) of the City Code, notices of the public hearing have been mailed to owners of land lying within 375 feet of the existing permit area at least 15 days prior to the public hearing; and

**WHEREAS**, pursuant to Section 82-94 of the City Code, the City Commission shall review the revocable permit request and determine whether the request shall be granted or denied following the public hearing; and

**WHEREAS**, Public Works has analyzed the criteria contained in Sections 82-94; a summary of the Public Works Department's review and recommendation to grant the revocable permit request is set forth in the Commission Memorandum accompanying this Resolution, which Memorandum is incorporated by reference herein.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA**, following a duly noticed public hearing, as required pursuant to Section 82-93(b), of the City Code, finding that the criteria set forth in Section 82-94 of the City Code has been satisfied, and approving a revocable permit request by 544 Lakeview Court Irrevocable Trust, (the "Applicant") for the property located at 544 Lakeview Court, Miami Beach (the "Property") to allow for a seawall repair and reinforcement; such seawall is approximately three (3) feet wide and approximately 209 feet in length, currently encroaching five (5) feet nine (9) inches at its maximum dimension into City submerged lands, the proposed repair of which will further encroach to a maximum dimension of nine (9) feet two (2) inches for a total of 1,599 square feet; and authorizing the Mayor and the City Clerk to execute the revocable permit.

**PASSED and ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2020.

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**DAN GELBER, MAYOR**

**ATTEST:**

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**RAFAEL E. GRANADO, CITY CLERK**