

**MIAMI SHORES PLANNING AND ZONING BOARD**  
**Planning and Zoning Department Staff Report**

Hearing Date	April 24, 2014 May 22, 2014	Meeting Time	7:00 P.M.
File Number	PZ-3-14-201488	Folio Number	11-2231-014-0300
Owner	Omar Villanueva, 575 NE 105 <sup>th</sup> St, Miami Shores, FL 33138		
Applicant	Same		
Agent	Mark Campbell, 373 NE 92nd Street, Miami Shores, FL 33138		
Property Address	575 NE 105th St		
Legal Description	AMD PL MIAMI SHORES SEC 5 PB 10-47 LOT 22 & W1/2 LOT 23 BLK 110 LOT SIZE 75.000 X 122 OR 15736-1457 1292 5		
Property Sq. Ft.	9,150	Building Sq. Ft.	2,582
		Flood Zone	X
Zoning	R17.5	Future Land Use Designation	Single Family Residential
Existing Use	One-family dwelling	Comprehensive Plan Consistency	Yes
Existing Structure	1-story; 3 bed/2 bath	Year Built	1951
Subject	Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations and Sec. 600. Site plan review and approval required. Garage conversion attached garage.		
Action Required	Approve, Approve with Conditions, or Deny the Application	Other Required Approvals	Village Building Permits FDOH/MDEHS and MDDRER/EPRD
Staff Report	David A. Dacquisto, Director, Planning and Zoning	Report Date	April 2, 2014 May 7, 2014

**Staff Report, May 22, 2014**

The applicant was before the board on April 24, 2014. At that time the board tabled this item to allow the applicant time to reconsider and redesign the project to bring the flat roof portion of the project into compliance with the zoning code requirements.

The applicant has resubmitted the proposal and will remove the flat roof over the breezeway and garage and replace it with a new slope roof.

The flat roof over the patio will remain. The flat patio roof is 255 sq. ft. in area and is consistent with the planning code requirement limiting flat roof additions to 300 square feet.

All other elements of the proposal remain the same.

**Recommendation, May 22, 2014**

In acting on a site plan, the Planning Board must make a finding that the proposed improvements comply with the regulations and are harmonious with the community, as required in Articles IV, V and VI of Appendix A Zoning, Sec. 400 and Sec. 600, of the Code of Ordinances, and, in that regard, may add further conditions or delete or modify staff recommended conditions, deny the application, or continue the item for future consideration.

Planning and Zoning staff recommends APPROVAL of the site plan to convert a garage and construct a 375 sq. ft. master bedroom and bath and 120 sq. ft. laundry room, based on the foregoing analysis with a finding that it is consistent with the technical provisions of the Code subject to the following conditions.

Should the board find that the applicant merits approval, staff recommends that the following conditions apply:

- 1) Approval is granted as shown on the plans submitted and made a part of this approval to convert a garage and construct a 375 sq. ft. master bedroom and bath and 120 sq. ft. laundry room.
- 2) Applicant to remove the flat roof over the garage and breezeway and replace it with a slope roof with color through clay tile matching the roof tile currently on the residence.
- 3) Applicant to obtain all required building permits before beginning work.
- 4) Applicant to obtain all required permits and approvals from the Miami-Dade Department of Regulatory and Economic Resources, Environmental Plan Review Division (DRER, EPRD) and the Miami-Dade Department of Health (DOH/HRS) as required.
- 5) Applicant to meet all applicable code provisions at the time of permitting.
- 6) Applicant to complete a covenant in the form of a "Declaration of Use" assuring the property is used only for a single family purpose, record the covenant with the Miami-Dade County Recorder and provide the planning director with a copy of the recorded document prior to the final inspection by the Building Official.
- 7) This zoning permit will lapse and become invalid unless the work for which it was approved is started within one (1) year of the signing of the development order by the board chair, or if the work authorized by it is suspended or abandoned for a period of at least one (1) year.

## **Background**

The property is an interior plot with an alley to the rear. The garage is accessible from the alley.

The garage is classified as detached. There is a covered breezeway between the residence and garage however, the board has determined in the past that an open breezeway does not create an attached garage. The garage and breezeway have flat roofs.

There is an attached flat roof covered patio at the rear of the residence.

There are permits on file for the flat roof breezeway and for the flat roof covered patio. Staff has asked the architect to confirm that the flat roof over the patio is not new and is the one identified on the permits on file.

The flat breezeway roof is a 180 sq. ft. in area. The flat covered patio roof is 255 sq. ft. in area. The flat roof garage is 480 sq. ft. in area. The total area of flat roof is 915 sq. feet.

Detached flat roof garages are not covered by the prohibition on flat roofs as they are not an addition to a peak roof residence. Attaching them by adding a flat roof connection may bring the prohibition into play. The total area of flat roof without the garage is 435 sq. feet.

The applicant is proposing to convert an existing detached garage at the rear of the residence into an attached 375 sq. ft. master bedroom and bath and 120 sq. ft. laundry room. The garage door will be removed, blocked up and a new window installed there.

The conversion is accessible from the den and through the laundry room. The laundry room and bedroom have French doors to the rear yard and pool.

The applicant has room to park 2 vehicles on an existing front circular driveway.

### **Analysis**

The board must determine if attaching the garage to the residence violates the restriction on flat roof additions to peak roof residences.

The design is compatible with the neighborhood and community.

The proposal is consistent with the technical provisions of the Zoning Code except as noted.

### **Recommendation**

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Division (DRER, EPRD) and the Miami-Dade Department of Health (DOH/HRS) as required.

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