

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

Hearing Date	June 26, 2014 July 24, 2014	Meeting Time	7:00 P.M.
File Number	PZ-5-14-201496	Folio Number	11-3206-001-0010
Owner	Barclay Graebner, 912 NE 95th Street, Miami Shores, FL 33138		
Applicant	Same		
Agent	None		
Property Address	912 NE 95th Street		
Legal Description	MARILYN HGTS PB 41-8 LOT 1 LOT SIZE IRREGULAR	Assessor's Building Value	N/A
Property Sq. Ft.	17,111	Building Sq. Ft.	4,573
		Flood Zone	X
Zoning	R16.5	Future Land Use Designation	Single Family Residential
Existing Use	One-family dwelling	Comprehensive Plan Consistency	Yes
Existing Structure	2-story; 6 bed/4 bath	Year Built	1935
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	June 10, 2014 July 9, 2014

**Staff Report for Hearing, July 24, 2014**

The Planning and Zoning Board requested information on the past development of the Graebner residence.

Staff reviewed the building files and determined that the current configuration of the residence came about through a series of building permits beginning with the original construction that included a garage at the rear of the property 10 ft. from the property lines. Building permits in 1954 and plans on file indicate that existing garages were attached to the residence, converted to bedrooms and expanded to the present location 1 ft. from the rear property line.

A car port was also added in 1954. This carport is the subject of the current garage conversion.

The other garages were already legally converted and therefore are not the subject to this application. The non-permitted work within these structures is the subject of code compliance and the applicant will be required to secure permits for all work done to date without building permits.

The staff recommendation below has been modified to reflect the car port conversion.

## **Staff Report for Hearing, June 26, 2014**

### **Background**

The property is a corner plot at the southeast corner of NE 95<sup>th</sup> Street and NE 9<sup>th</sup> Avenue.

A garage at the rear and side of the L-shaped residence was converted to a master bedroom of 350 sq. ft. and a master bath of 90 square feet. An adjacent open car port was converted to an enclosed 738 sq. ft. kitchen. All work was completed without permits. The applicant is now proposing to legalize the master bedroom, master bath and kitchen.

The master bedroom is accessible to the residence through the kitchen.

The kitchen has French doors opening to the rear yard.

The existing driveway has been removed.

A parking pad for 2 vehicles is proposed for the west side of the property accessible from NE 9th Avenue.

The existing kitchen in the residence has been removed.

### **Analysis**

The applicant to create a parking area for 2 vehicles as shown on the plans submitted to provide the 2 required legal parking spaces on site.

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**

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 to a master bedroom of 350 sq. ft. and a master bath of 90 sq. ft., and to convert a car port to a 738 sq. ft. kitchen, 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 car port to a 738 sq. ft. kitchen.
- 2) Applicant to create a parking area for 2 vehicles as shown on the plans submitted and made a part of this approval.
- 3) Applicant to obtain all required building permits for work already begun or completed.
- 4) Applicant to obtain all required building permits before beginning work.
- 5) 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.
- 6) Applicant to meet all applicable code provisions at the time of permitting.
- 7) 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.
- 8) 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.