

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

Hearing Date	November 12, 2015	Meeting Time	7:00 P.M.
File Number	PZ-10-15-2015224	Folio Number	11-2232-029-0140
Owner	Alexander Rodier		
Applicant	Same		
Agent	Trident Environmental / Bibi Villazon		
Property Address	1009 NE 104 <sup>th</sup> Street		
Legal Description	EVENINGSIDE PB 44-53 LOT 15 BLK 1 LOT SIZE SITE VALUE COC 22786-0550 10 2004 1	Assessor's Building Value	N/A
Property Sq. Ft.	14,525	Building Sq. Ft.	4,339
		Flood Zone	AE8
Zoning	R20	Future Land Use Designation	Single Family Residential
Existing Use	One-family dwelling	Comprehensive Plan Consistency	Yes
Existing Structure	2 story; 3 bed/3 bath	Year Built	2013
Subject	Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations, Sec. 534 and Sec. 600. Site plan review and approval required. Waterfront development. Dock and boat lift.		
Action Required	Approve, Approve with Conditions, or Deny the Application	Other Required Approvals	Village Building Permits MDDRER/EPRD
Staff Report	David A. Dacquisto, Director, Planning and Zoning	Report Date	October 22, 2015

**Background**

The applicant has a residence on the C 8 Canal between NE 104<sup>th</sup> Street and NE 105<sup>th</sup> Street. The residence is located at the end of NE 104<sup>th</sup> Street next to the village golf course.

The applicant is proposing to construct a 60 ft. wide dock 5.5 ft. into the canal. The applicant is also proposing to construct a 16,000 LB cradle lift an additional 13 ft. into the canal. The construction will project approximately 18.5 ft. into the canal.

The canal is approximately 75 ft. wide. The 18.5 ft. extension into the canal is approximately 25 % of the canal width.

The applicant is proposing night time reflectors on all outside posts.

There are no modifications proposed to the seawall or landward on the plot.

**Analysis**

The boat lift occupies approximately 25 % of the width of the canal. Miami-Dade generally permits docks and boat lifts to occupy up to 25 % of the width of the canal.

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

## **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 Schedule of Regulations, Sec. 534 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 construct 12 ft. wide boat lift extending 13 ft. into the canal and for a 60 ft. wide dock extending 5.5 ft. into the canal, based on the foregoing analysis with a finding that it is similar to a proposal previously denied by the board and is therefore not consistent with the provisions of the Code as harmonious with the community.

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

- 1) Approval is granted for a 12 ft. wide boat lift extending 13 ft. into the canal and for a 60 ft. wide dock extending 5.5 ft. into the canal.
- 2) Applicant to secure final approval from the Department of Regulatory and Economic Resources, Environmental Resources Management and the Army Corps of Engineers, before a building permit will be issued.
- 3) Applicant to comply with all requirements of FEMA, the NFIP and the Florida Building Code for construction in the AE8 special flood hazard area.
- 4) Applicant to obtain a building permit before commencing work.
- 5) Applicant to meet all applicable code provisions at the time of permitting.
- 6) Applicant to add not less than two (2) solar lights on the outside piles of the boat lift and night time reflectors on all outside posts.