

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

Hearing Date	May 26, 2016	Meeting Time	7:00 P.M.
File Number	PZ-04-16-201643	Folio Number	11-3205-009-0140
Owner	Filpo Properties LLC		
Applicant	Same		
Agent	Cesar Lucero		
Property Address	1296 NE 99 <sup>th</sup> Street		
Legal Description	5 53 42 EARLETON SHORES PB 43-80 LOT 1 & E25FT LOT 2 BLK 2 LOT SIZE IRREGULAR OR 18686-1393 07 1999 1 COC 22759-4407 10 2004 1	Assessor's Building Value	\$178,249
Property Sq. Ft.	10,932	Building Sq. Ft.	2,346
		Flood Zone	AE9
Zoning	R25	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. Second story addition.		
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	May 5, 2016

**Background**

The subject property is a corner plot with the house facing north and NE 99<sup>th</sup> Street.

The applicants will retain the garage with its 2 parking spaces but will reconfigure the layout moving the bathroom and the entry to the kitchen.

The applicant is proposing to construct a 713 sf second story addition over the garage at the front of the residence. The addition will accommodate a master bedroom suite. The new second story addition will be accessible from a new set of stairs from the living room.

The addition will have a peak white flat cement tile roof matching the existing roof.

The rear yard is currently rock. There is a concrete patio within the side yard setback.

**Analysis**

The plans show grass in the rear yard and removal of the patio in the side yard setback.

A pool is proposed and will be handled administratively by staff at a future date.

The applicant proposes to extensively pave or otherwise cover the rear yard.

The Property is located within the AE 9 Flood Zone.

The current building value according to the county assessor is \$178,249. The total value of all construction related to this project may not exceed approximately \$89,000 or the project will become a substantial improvement. The applicable FEMA and Florida Building Code regulations will apply should the improvements become a substantial improvement.

The elevation certificate shows the first finished floor at 7 NGVD.

The applicant may seek an independent appraisal of the building value subject to acceptance by the building official.

Drainage must be accommodated on site.

The residence is a 1950's ranch and the proposed second story addition will blend with the existing architecture.

The proposed second story addition is compatible with the design of the residence, neighborhood and community.

The proposal is consistent with the technical provisions of the Zoning Code except as noted for proof of compliance with FEMA and the Florida Building 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, 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 a 713 sf second story addition, 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 construct a 713 sf second story addition.
- 2) Applicant to apply for and obtain all required building permits from the Building Department before beginning work.
- 3) Applicant to apply for and obtain all necessary permits and approvals from outside agencies before beginning work.
- 4) The applicant to comply with all requirements for development in an AE9 flood zone.
- 5) The applicant shall provide an architect or engineer's drainage plan and report to certify to the building official that the site provides storm drainage that detains the first one inch in natural or filtered structural facilities prior to the issuance of a building permit by the Building Official.
- 6) The applicant is responsible for the installation and maintenance of drainage structures and any site modifications shown on the drainage plan that are necessary

to provide storm drainage that detains the first one inch in natural or filtered structural facilities.. Minor modifications to the approved drainage plan shall require a new signed architect or engineer's drainage plan that shall be subject to review and approval of the Building Official and the Planning Director. Major changes to the approved drainage plan including the construction of drainage improvements such as but not limited to mounds and walls, shall require a new site plan review application and review and approval by the Planning and Zoning Board.

- 7) All drainage improvements shall be installed in accordance with the approved drainage plan before final inspection by the Building Official.
- 8) The applicant shall repair and maintain the onsite drainage system in accordance with the approved drainage plan except that major changes shall require Planning and Zoning Board approval as stated in Condition #6.
- 9) An erosion and sedimentation plan subject to review and approval by the building official is required if ground cover is removed or as required by the building official. Properly installed soil erosion measures (silt fences, straw barriers, etc.) and anti-tracking area at all construction entrances are required to be put in place and maintained if ground cover is removed or as required by the building official. Required erosion control measures must be in place prior to footings inspection.
- 10) 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.
- 11) Ground cover shall comply with the provisions Division 17 of Appendix A, Village of Miami Shores Code of Ordinances, artificial turf and rock of any kind is specifically prohibited.
- 12) Applicant to meet all applicable code provisions at the time of permitting.
- 13) 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.