

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

Hearing Date	July 28, 2016	Meeting Time	7:00 P.M.
File Number	PZ-06-16-201654	Folio Number	11-3205-018-0360
Owner	Daniel Nava		
Applicant	Same		
Agent	Hani Flicki		
Property Address	1104 NE 98 <sup>th</sup> Street		
Legal Description	5-6 53 42 PB 43-69 REV PL MIAMI SHORES SEC 8 LOT 19 BLK 180 LOT SIZE IRREGULAR	Assessor's Building Value	N/A
Property Sq. Ft.	9,040	Building Sq. Ft.	2,110
		Flood Zone	X
Zoning	R20	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	1948
Subject	Pursuant to Articles IV, V and VI of Appendix A Zoning, Sec. 400 Schedule of Regulations, Sec. 523.1 and Sec. 600. Site plan review and approval required. New residence		
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	June 30, 2016

**Background**

The interior plot is currently occupied by a single story residence of 2,100 sf.

The applicant is proposing to construct a new 3,000 sf residence of 49,548 cubic feet. The minimum size for a new residence in the R20 district is 20,000 cubic feet.

The residence will have a master suite, 3 additional bedrooms and 3 additional bathrooms.

The applicant will plant 1 tree to meet code requirements there is already 1 tree on the plot

The design is a double shed roof with celestial windows at the peak between the roofs. The cement slab roof will have flat white cement tile.

The windows have bronze aluminum louvers to reduce direct sunlight into the residence.

The exterior walls have wood like accent walls. The color is not stated.

There is a 2 stall garage at the front and a 20 ft. wide driveway.

**Analysis**

Division 17, Sec. 535 of the zoning code requires that applicants for new houses construct a village sidewalk in front of their properties where no sidewalk currently exists. This was a way to gradually have village sidewalks where non currently existed.

This was not an issue previously however; this issue needs to be revisited now that it is becoming more common to tear down an existing house to construct a new house. The applicant is required to pay for a

new village sidewalk in the right-of-way along the front plot line of the residence unless waived by the planning board.

**DIVISION 16. - SIDEWALKS**

**Sec. 535. - Construction.**

*Construction of any new principal building shall require the construction of public sidewalks within the right-of-way by the plot owner if not already existing unless waived by the planning board.*

The design is compatible with the neighborhood and community. It is a design that although not common is seen in numerous locations in Miami Shores.

The proposal is consistent with the technical provisions of the Zoning Code except as noted for Sec. 535.

**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 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 new two-story single-family residence of approximately 3,000 sq. ft. and an interior cubic dimension of 49,548 cubic feet cubic feet, 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 new one-story single-family residence of approximately 3,000 sq. ft. and an interior cubic dimension of 49,548 cubic feet cubic feet.
- 2) Applicant to obtain all required building permits before beginning work.
- 3) The site shall not drain onto neighboring properties or rights-of-way.
- 4) 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.
- 5) 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.

- 6) All drainage improvements shall be installed in accordance with the approved drainage plan before final inspection by the Building Official.
- 7) 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 #5.
- 8) An erosion and sedimentation plan subject to review and approval by the building official is 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 as required by the building official. Required erosion control measures must be in place prior to footings inspection.
- 9) 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.
- 10) Applicant shall comply with Miami-Dade County Tree Ordinance and shall work with Miami Shores Public Works to achieve compliance.
- 11) Landscaping shall be compliant with Division 17 of Appendix A, Village of Miami Shores Code of Ordinances and consistent with plan sheets; LA-.2, A-703 and A-704.
- 12) 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.
- 13) Applicant to meet all applicable code provisions at the time of permitting.
- 14) 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.
- 15) Applicant must pay a contractor to construct a village sidewalk within the right-of-way adjoining the plots front plot line or the applicant must make a cash-in-lieu payment to the village and the village will construct the village sidewalk.