

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

Hearing Date	December 8, 2016	Meeting Time	7:00 P.M.
File Number	PZ-11-16-201685	Folio Number	11-2232-028-0390
Owner	Ocean Mall Investments LLC / Gil Guadalpi		
Applicant	Same		
Agent	None		
Property Address	North-east corner of NE 11 th Avenue and 105 th Street		
Legal Description	MIAMI SHORES ESTATES PB 47-58 LOT 11 BLK 3 LOT SIZE IRREGULAR OR 19750-3241 06 2001 5	Assessor's Building Value	N/A
Property Sq. Ft.	11,700	Building Sq. Ft.	N/A
		Flood Zone	AE8
Zoning	R17.5	Future Land Use Designation	Single Family Residential
Existing Use	Vacant Plot	Comprehensive Plan Consistency	Yes
Existing Structure	N/A story; N/A bed/N/a bath	Year Built	N/A
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	November 14, 2016

Background

The proposed new 37,214 cubic foot residence (the minimum requirement is 17,500 cubic feet) is to be located on one of the two remaining vacant plots in Miami Shores. This plot is on a corner and has never been developed.

The residence is a modern design with flat roof that will have white exterior walls with dark wood grill.

The residence will front on NE 11th Avenue.

The property was before this board previously with a different owner and design.

The property is located in the AE8 flood zone and the highest crown of road next to the property is NGVD 4.38 = 4 ft. 4.6 inches.

The garage will be constructed at NGVD 5 ft. 1 in and therefore will be constructed more than 8 inches above the highest crown of road.

The residence will be constructed at NGVD 8 and is considered out of the AE8 flood zone.

The residence will be constructed on stem walls and back filled.

The modern design will have a flat roof.

There is a 2 stall attached garage that will be accessed from the side street NE 105th Street.

The 4-bedroom residence will have 3.5 bathrooms with an additional half bath that is only accessible from the rear yard to be used for a future pool.

A covered terrace at the rear of the residence opens to the rear yard with steps down to the yard.

Analysis

The Property is located within the AE 8 Flood Zone. A new house must comply with all FEMA requirements including the requirement that a new residence in the AE8 flood zone be constructed with the lowest floor at or above NGVD 8.

The applicant has not provided an elevation certificate. The plans show the residence is to be located at NGVD 8 and therefore will be located the base flood elevation AE8. The applicant has left no margin for error and if the residence is constructed with the finished floor below NGVD 8 the residence must be torn down or raised.

The property is a vacant plot so there is no existing building value.

The septic system will be raised and a 3 ft. retaining wall constructed at the north-east corner of the property to contain the septic system drain field.

Drainage must be accommodated on site. The applicant has provided a drainage plan that shows a drainage swale over the reserve septic drain field.

There is a steep drop off from the house with the fill going from 6 ft. at the residence to 3.5 ft. at the lowest point.

The architect has provided a letter stating that the drainage plan will work there are not calculations provided to support this conclusion. Miami Shores does not have an engineer or architect on staff and does not independently verify this conclusion.

If water leaves the property after grading is completed, the applicant will be required to regrade the property and or place devices to control the runoff and kept it on the property.

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 and construction as submitted and made a part of this approval, 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 residence.
- 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 AE8 flood zone.
- 5) An erosion and sedimentation plan subject to review and approval by the building official is required and must be submitted to the building official with the building permit application. 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.
- 6) The applicant shall provide an architect or engineer's drainage plan and report acceptable to the building official 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.
- 7) The applicant is responsible for the installation and maintenance of retaining walls and 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.
- 8) All retaining walls and drainage improvements shall be installed in accordance with the approved drainage plan before final inspection by the Building Official.
- 9) The applicant shall repair and maintain the onsite retaining walls and drainage system in accordance with the approved drainage plan except that major changes shall require Planning and Zoning Board approval as stated in Condition #7.
- 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.