



## City of Coral Gables Planning Division Staff Recommendation

<b>Applicant:</b>	<b>E. Stetson Glines and Mary Jane Wooldridge</b>
<b>Application:</b>	<b>Conditional Use Review for a Building Site Determination</b>
<b>Property:</b>	<b>6009 Maggiore Street, Coral Gables, Florida</b>
<b>City Public Hearing Dates/Times:</b>	<b>Planning and Zoning Board September 11, 2013, 6:00 – 9:00 p.m. City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134</b>

### **Application Request.**

Request for Conditional Use Review for a Building Site Determination for the property located at 6009 Maggiore Street, as follows:

*“An Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a Building Site Determination pursuant to Zoning Code Article 3, “Development Review”, Section 3-206, “Building Site Determination” to create two (2) separate single-family building sites on property assigned Single-Family Residential (SFR) zoning; one building site consisting of the west seventy-three (73) feet of Lots 1 and 2 and the other the west seventy-three (73) feet of Lots 27 and 28 on property legally described as the west seventy-three (73) feet of Lots 1-2 and 27-28, Block 122, Riviera Section Part 10 (6009 Maggiore Street), Coral Gables, Florida; including required conditions; providing for severability, repealer, codification, and an effective date.”*

### **Summary of Application.**

“E. Stetson Glines and Mary Jane Wooldridge” (hereinafter referred to as “Applicant”), has submitted a “Conditional Use Review for a Building Site Determination” application (hereinafter referred to as the “Application”) for City of Coral Gables review and public hearing consideration.

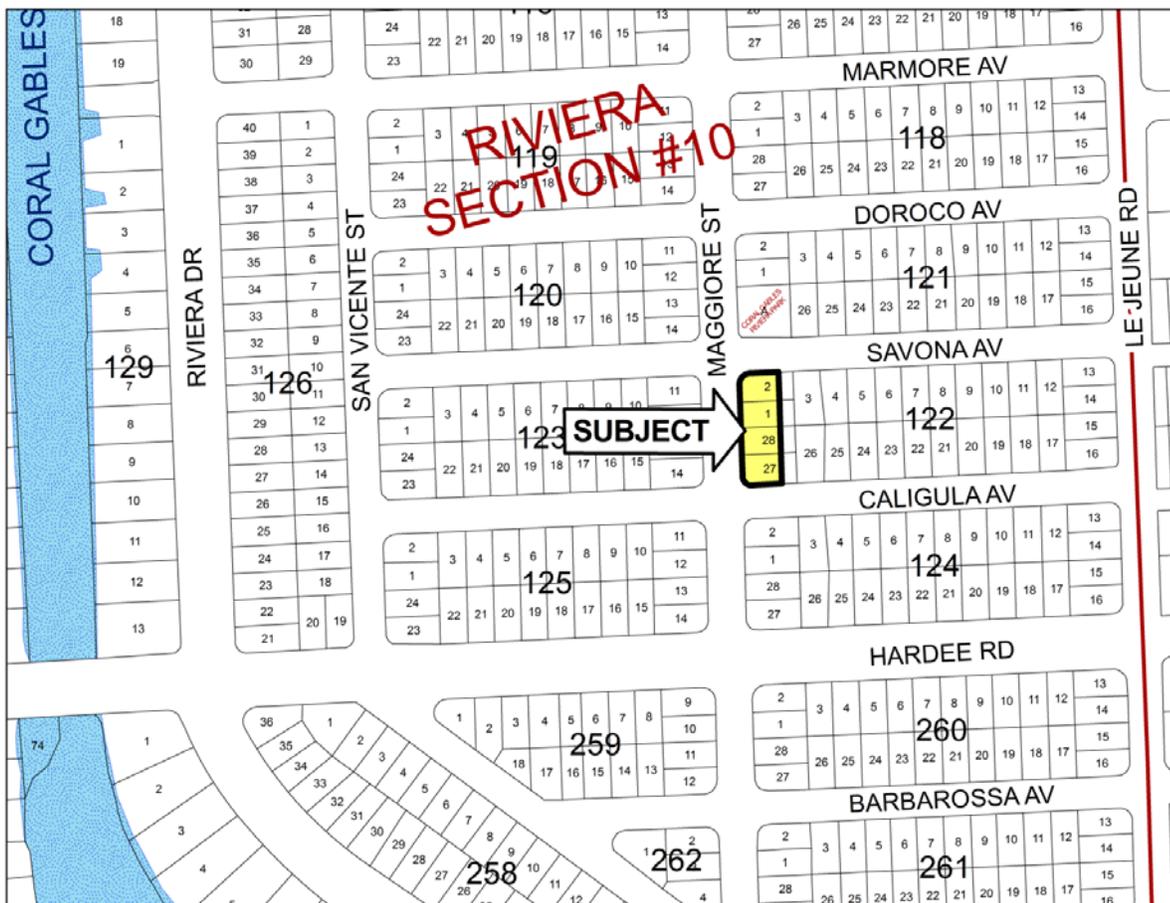
The request is to separate an existing single 210’ x 73’ building site into two (2) building sites, each being 105’ x 73’ in size. The property consists of the west seventy-three (73) feet portions of four (4) platted lots. The proposed two (2) building sites would each have the west seventy-three (73) feet portions of

two (2) platted lots. An existing single-family residence and garage structure is located in approximately the center of the property, and would be demolished to allow for the construction of two new single-family residences. Miami Dade County property records indicate the existing house was constructed in 1925, and contains 2,526 square feet.

The Zoning Code requires that every building site have at least one fully platted lot, and the proposed building sites would consist of only partially platted lots. A re-plat of the property will be required if the requested building site separation is granted. The Applicant wishes to determine if the separation of the property will be granted before filing a public hearing application for re-platting the property into two (2) fully platted lots. The Applicant is aware that the re-plat must occur before either new residence can be constructed, and has accepted the proposed condition of approval included in this report requiring the re-plat of the property.

The property is located on the entire west end of a block fronting onto Maggiore Street between Savona Avenue (north) and Caligula Avenue (south) one block north of Hardee Road, and is legally described as the west seventy-three (73) feet of Lots 1-2 and 27-28, Block 122, Riviera Section Part 10 (6009 Maggiore Street), Coral Gables, Florida, as shown in the following location map:

**Block, Lot and Section Location Map**



## Site Data and Background.

### Site Data and Surrounding Uses

The following tables provide the subject property's designations and surrounding land uses:

#### Existing Property Designations

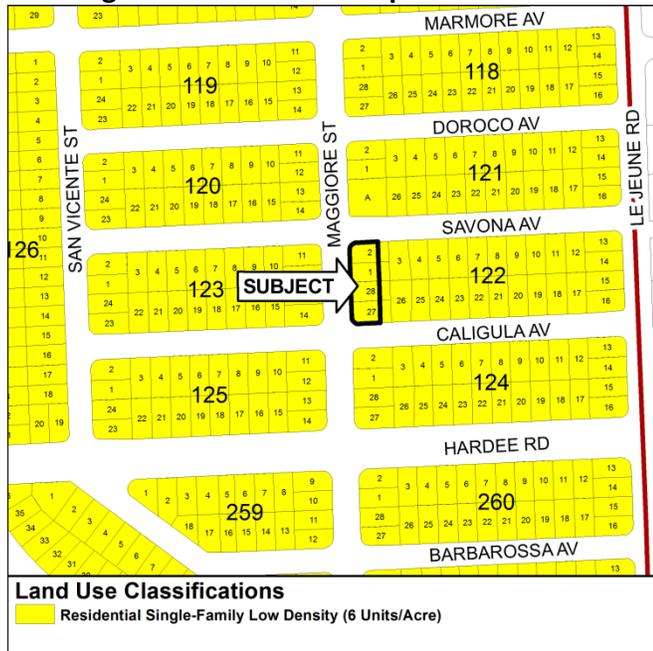
Comprehensive Plan Future Land Use Map designation	“Residential Single-family Low Density”
Zoning Map designation	Single Family Residential (SFR)

#### Surrounding Land Uses

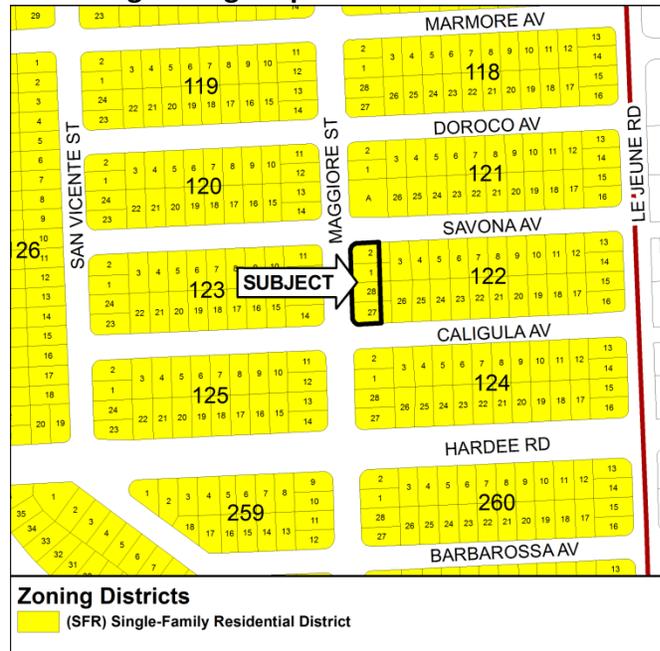
Location	Existing Land Uses	CP Designations	Zoning Designations
North	Single-family residences	“Residential Single-family Low Density”	Single Family Residential (SFR)
South	Single-family residences	“Residential Single-family Low Density”	Single Family Residential (SFR)
East	Single-family residences	“Residential Single-family Low Density”	Single Family Residential (SFR)
West	Single-family residences	“Residential Single-family Low Density”	Single Family Residential (SFR)

The surrounding properties have the same single-family residential land use and zoning designations as the subject property, illustrated as follows:

**Existing Future Land Use Map**



**Existing Zoning Map**



Aerial



**City Review Timeline**

The submitted application has undergone the following City reviews:

Type of Review	Date
Development Review Committee	06.28.13
Board of Architects	N/A
Historic Preservation Board	N/A
Planning and Zoning Board	09.11.13
City Commission (1 <sup>st</sup> reading)	10.15.13
City Commission (2 <sup>nd</sup> reading)	TBD

## Proposed Building Site Separation and Site Plan

### Proposal – Building Site Separation and Site Plan

#### *Proposed Building Site Separation Application*

The application package includes the following (see Attachment A):

- 1) Overall colored site plan;
- 2) Surveys and conceptual re-plat;
- 3) Aerial photographs;
- 4) Building site frontage analysis;
- 5) Neighborhood Photos;
- 6) Renderings of proposed new residences;
- 7) Overall site plan;
- 8) Plans and Elevations;
- 9) Application;
- 10) Letter of Request;
- 11) Historic Significance Letter from Historic Resources;
- 12) Building Site Determination Letter from City's Zoning Official;
- 13) Letter from structural engineer regarding existing residence; and,
- 14) Letter from Arborist regarding existing vegetation.

#### *Conceptual Site Plan*

A conceptual site plan was submitted with the building site separation application showing the development of the property with the creation of the second building site that is required by the Zoning Code to assist with the evaluation of the request. This site plan is only intended to indicate that the proposed building sites can be developed according to the Single-Family Residential (SFR) Zoning Code provisions. The conceptual site plan is not tied to the request for building site separation.

#### *Permitted Development*

Currently, the subject property has 210' frontage along Maggiore Street and 73' frontage along both Savona and Caligula Avenues. The Zoning Code requires the facing of building sites (front) towards the shortest street line of the platted lots. Therefore, each proposed single-family building site would be 73' x 105' and face (front) onto either Savona or Caligula Avenue following the required re-plat of the property. Both building sites would be approximately 7,665 SF in size. This would allow a residence with a maximum 3,332 SF to be constructed on the proposed building sites. This would result in a total permitted development of 6,664 SF within two separate residences on the subject property based on the provisions in the Zoning Code if the request for building site separation is granted. If developed as permitted by the Zoning Code as a single building site, a single residence with approximately 5,749 SF could be constructed on the property.

The following table compares the proposed building sites with the applicable Zoning Code requirements for single-family residences. This analysis shows that the property can be developed as proposed and meet the requirements of the Zoning Code:

*Site plan information:*

Type	Entire property permitted/required	Proposed Lot 1 – Conceptual new SF residence	Proposed Lot 2 – Conceptual new SF residence
Building site frontage	210'	73'	73'
Building site depth	73'	105'	105'
Total site area	15,330 SF	7,665 SF	7,665 SF
Building floor area (FAR)	Max. 5,749 SF	Max. 3,332 SF	Max. 3,332 SF
Building height	Max. 2 stories/29'-0" above established grade	Max. 2 stories/29'-0" above established grade	Max. 2 stories/29'-0" above established grade
Setbacks:			
Front	Min. 15'-0"*(Maggiore)	Min. 25'-0" (Savona)	Min. 25'-0" (Caligula)
Side street	Min. 15'-0"	Min. 15'-0"*(Maggiore)	Min. 15'-0"*(Maggiore)
Side interior	Min. 5'-0"	Min. 5'-0"	Min. 5'-0"
Rear	Min. 10'-0"	Min. 10'-0"	Min. 10'-0"
Building ground area coverage (including aux. structures)	Max. 45%	Max. 45%	Max. 45%

\*Zoning Code Appendix A - Site Specific Zoning Regulations permits a minimum 15' setback for lots facing upon Maggiore Street on Blocks 122 and 124.

*Site Specific Provisions*

Zoning Code Appendix A – “Site Specific Zoning Regulations” permits the lots on Block 122 which face onto Maggiore Street to have a minimum setback of fifteen (15) feet, as follows:

**Section A-85 - Riviera Section Part 10.**

- A. Setbacks-Minimum front.
  - 1. Lots facing upon Granada Boulevard-Thirty-five (35) feet.
  - 2. Lots facing upon Maggiore Avenue in Blocks 122 and 124-Fifteen (15) feet.

*Required Re-plat*

If the building site separation request is granted, the re-plat of the property would be required before construction of new single-family residences could occur. Each of the proposed building sites created consist of two partial platted lots, and neither contain a fully platted lot. The Zoning Code Section 4-101, “Single-Family Residential (SFR) District” requires that all single-family residential building sites must contain at least one (1) platted lot. Re-platting the property would create two (2) fully platted lots, each for the construction of a new residence. The provisions of Zoning Code Section 4-101(D) are as follows:

*“D. Performance standards. The following performance standards shall govern the general development of structures in the District. Where there are specific standards for properties that are specifically set forth in the Site Specific Zoning Regulations, the regulations in the Site Specific Zoning Regulations shall apply (see Appendix A).*

- 1. Building sites. Buildings and structures shall be constructed or erected upon a building site containing at least one (1) platted lot, and such building site shall have a minimum street frontage of fifty (50) feet. See also Section 3-206, Building site determination.”*

A condition of approval is included with Staff’s alternative recommendation which would require the submittal and processing of a hearing application for the re-plat of the property before any building permits can be issued. The recommended condition of approval, as accepted by the Applicant, is as follows:

*The applicant/property owner shall submit an application for public hearing and all required supporting drawings and documentation for the re-plat of the property as required by the Zoning Code. Approval of a final plat allowing for the two (2) buildings sites as proposed and presented with the application for Conditional Use review for a Building Site Determination shall be required before any building permit shall be issued for the construction of either single-family residence.*

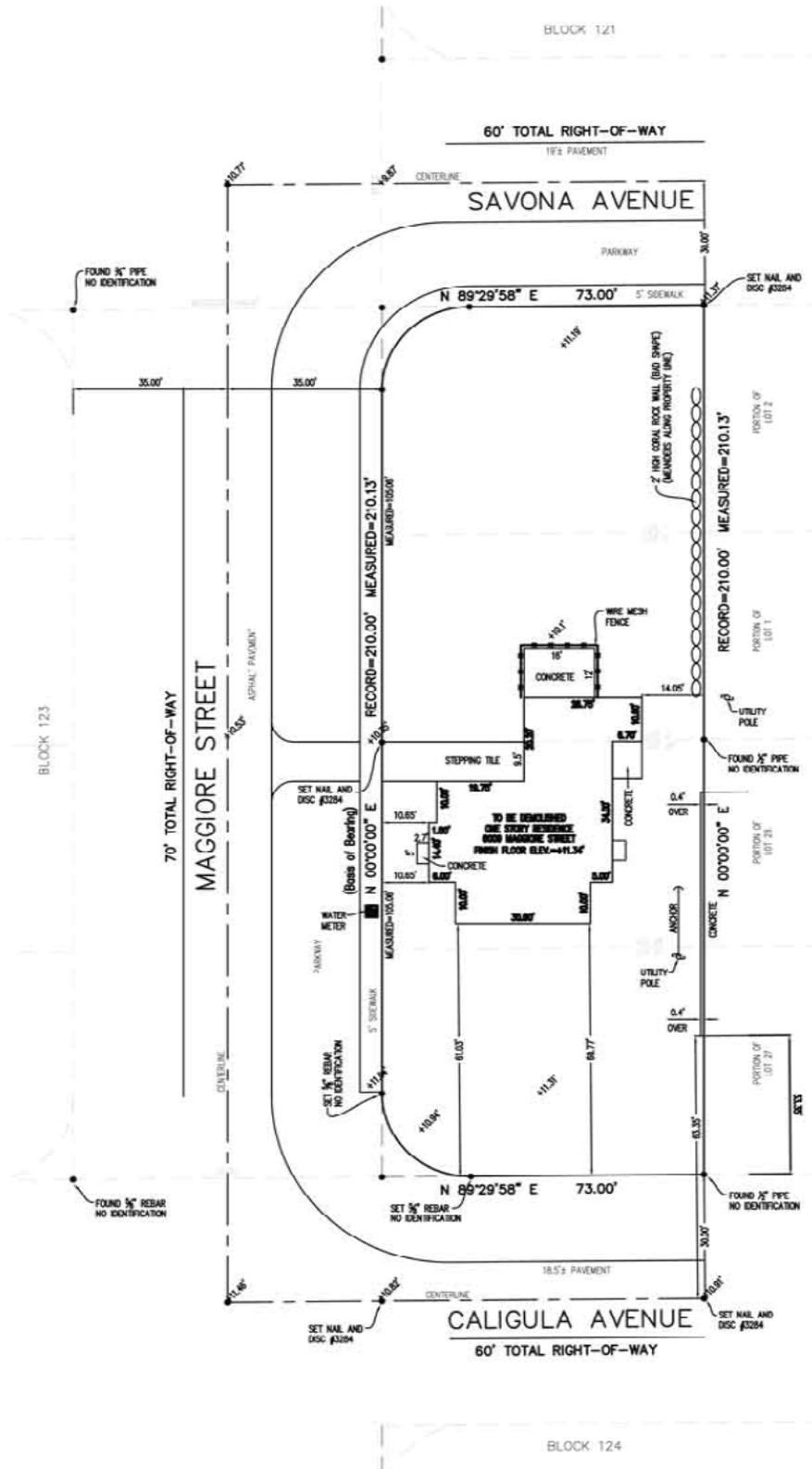
A text amendment would be required to Zoning Code Appendix A - Site Specific Regulations at the time the public hearing application is submitted for the re-plat of the property which would add the name of the new subdivision, and indicate that both Lots 1 and 2 created by the re-plat would be separate building sites. The requirement for this Zoning Code text amendment would be noted in Staff’s report addressing the required re-plat of the property when presented to the Board.

#### *City Staff Comments*

This proposal has been reviewed by the Zoning Division, Public Works, Public Service and Historic Resources Departments. All City Department comments that were provided have been addressed by the applicant.

The property survey and the Applicant’s Conceptual Site Plans and Conceptual Building Elevation are provided on the following pages:

### Property Survey

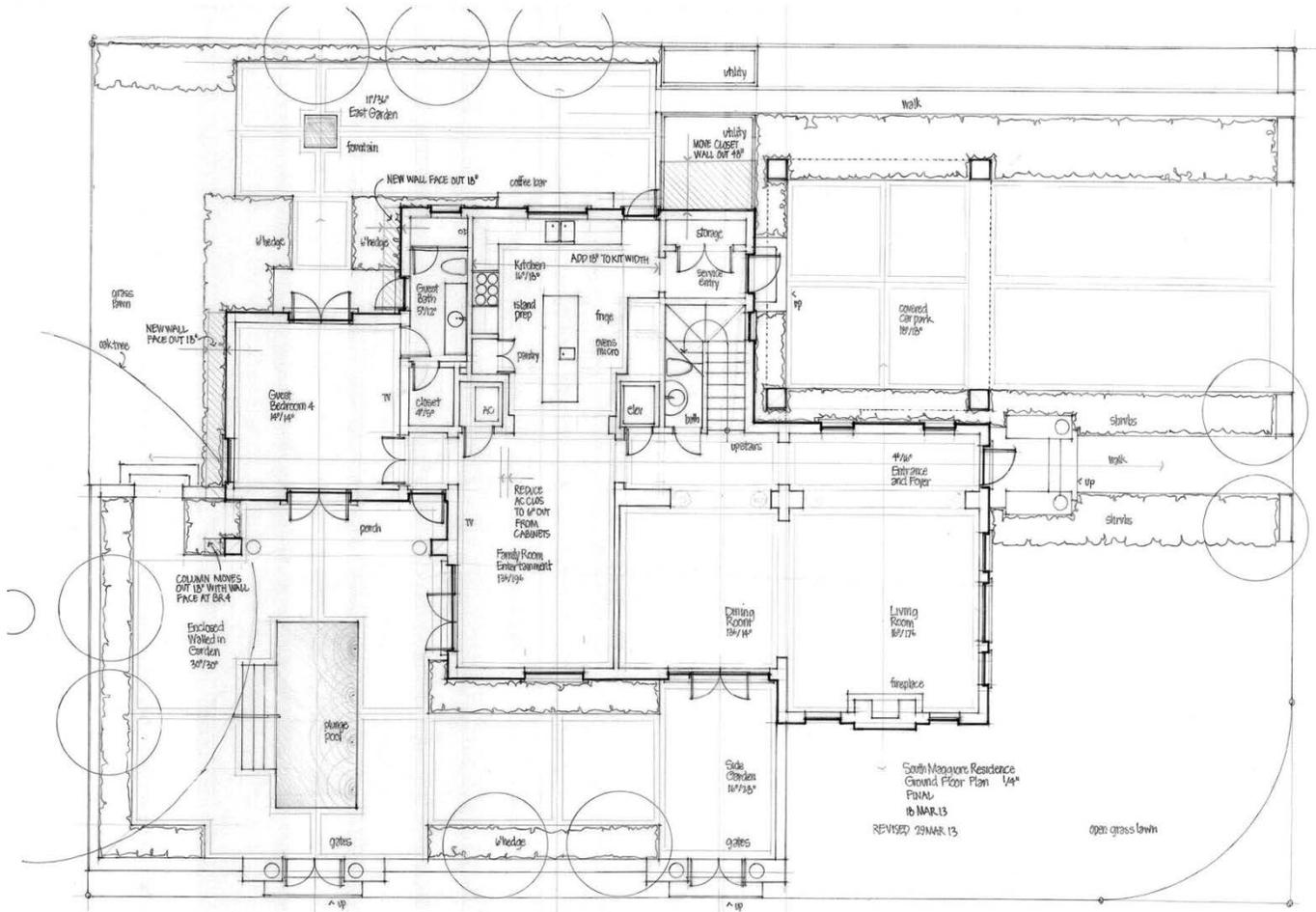


Conceptual Site Plans (Both lots)





### South Residence (Ground Floor Plan)



**Conceptual Building Elevations (Both lots)**



## Findings of Fact.

This section of the report presents City Staff's evaluation of the Application and Findings of Facts. The City's responsibility is to review the Application for consistency with the City's Comprehensive Plan (CP) Goals, Objectives and Policies, compliance with the Zoning Code and compliance with other applicable portions of the City Code.

### Findings of Fact- Separation and Establishment of Building Sites

#### *Review of Zoning Code Criteria*

Zoning Code Section 3-206(F) provides the criteria for the separation and establishment of building sites, as follows:

*"F. When reviewing and providing a recommendation on an application for conditional use for a building site determination, the Planning Department, Planning and Zoning Board and the City Commission shall consider and evaluate the request together with a proposed site plan and provide findings that the application satisfies at least four (4) of the following six (6) criteria:"*

Staff has reviewed the Application based upon the six (6) criteria and finds that the Application satisfies three (3) of the six (6) criteria, as follows:

*"1. That exceptional or unusual circumstances exist, that are site specific such as unusual site configuration or partially platted lots, or are code specific such as properties having two (2) or more zoning and/or land use designations, multiple facings or through-block sites, which would warrant the separation or establishment of a building site(s)."*

Staff Comment: This property consists of four partially platted lots, and faces onto three (3) streets.

The Application satisfies this criteria.

*"2. That the building site(s) created would be equal to or larger than the majority of the existing building site frontages of the same zoning designation within a minimum of one thousand (1,000) foot radius of the perimeter of the subject property or extending no farther than the immediate vicinity, whichever is less. "Immediate vicinity" shall be defined as an area in which a parcel of land is located, that is physically, functionally or geographically identifiable as a distinct realm, place or neighborhood, or an area within a radius of not more than one-half (1/2) mile from the subject property, whichever is smaller."*

The Applicant’s building site frontage analysis is as follows (see Attachment A):

Frontage	0’ to 73’	74’ to 100’	101’+	Total
No. of Sites	132	175	61	368
Percentage	36%	48%	16%	100%

Staff Comment: Both of the proposed single-family building sites would have frontages smaller than 64% of the surrounding building site frontages.

The Application does not satisfy this criteria.

- “3. That the building site(s) separated or established would not result in any existing structures becoming non-conforming as it relates to setbacks, lot area, lot width and depth, ground coverage and other applicable provisions of the Zoning Code, CP and City Code. The voluntary demolition of a building which eliminates any of the conditions identified in this criterion shall not constitute or result in compliance with this criterion.”

Staff Comment: The existing residence located approximately in the center of the property would have to be demolished to permit the separation of the property into two building sites as proposed.

The Application does not satisfy this criteria.

- “4. That no restrictive covenants, encroachments, easements, or the like exist which would prevent the separation of the site. The voluntary demolition of a building which eliminates any of the conditions identified in this criterion shall not constitute or result in compliance with this criterion.”

Staff Comment: The existing residence located approximately in the center of the property would have to be demolished to permit the separation of the property into two building sites as proposed. Building permits, a fence and a concrete slab also tie the property together as a single building site as indicated in the 03.15.13 Letter of Determination issued by the Zoning Division, which is included with the Application provided as Attachment A.

The Application does not satisfy this criteria.

- “5. That the proposed building site(s) maintains and preserves open space, promotes neighborhood compatibility, preserves historic character, maintains property values and enhances visual attractiveness of the area.”

Staff Comments: The majority of blocks along this portion of Maggiore Street have two (2) residences per block facing onto Maggiore, while this block is the sole block with only one existing residence. The current structure that occupies the property is in disrepair and does not enhance the visual attractiveness of the area. The City’s Historical Resources Department has reviewed the existing residence and determined that it is not historically significant.

The Application satisfies this criteria.

“6. That the building site(s) created was purchased as a separate building(s) by the current owner prior to September 17, 1977.”

Staff Comment: The property was purchased in 1950, and kept within the family of the original purchaser as a Revocable Living Trust.

The Application satisfies this criteria.

Pursuant to Zoning Code, Article 3, Development Review, Section 3-206., Building Site Determination, Subsection F, Planning Staff finds the Application satisfies three (3) of the six (6) criteria.

**Consistency Evaluation of the Comprehensive Plan (CP) Goals, Objectives and Policies**

This section provides a detailed analysis of the CP providing a basis of consistency, and finds the following CP Goals, Objectives and Policies are applicable.

Consistent CP Goals & Objectives and Policies are as follows:

Ref. No.	CP Goal, Objective and Policy	Staff Review
1.	<b>Goal FLU-1.</b> Protect, strengthen, and enhance the City of Coral Gables as a vibrant community ensuring that its neighborhoods, business opportunities, shopping, employment centers, cultural activities, historic value, desirable housing, open spaces, and natural resources make the City a very desirable place to work, live and play.	Complies
2.	<b>Objective FLU-1.2.</b> Efforts shall continue to be made to control blighting influences, and redevelopment shall continue to be encouraged in areas experiencing deterioration.	Complies
3.	<b>Policy FLU-1.3.2.</b> All development applications in residential neighborhoods shall continue to be reviewed by applicable boards and committees to ensure the protection from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic. The City will continue to enforce the adopted restrictive design standards; historic preservation policies and the applicable performance standards of the Commercial Limited designation in the Zoning Code.	Complies
4.	<b>Objective FLU-1.11.</b> Maintain a pattern of overall low density residential use with limited medium and high density residential uses in appropriate areas to preserve the low intensity and high quality character of the residential neighborhoods.	Complies

Ref. No.	CP Goal, Objective and Policy	Staff Review
5.	<b>Policy FLU-1.11.1.</b> Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.	Complies
6.	<b>Objective FLU-1.13.</b> The City shall enforce the recently adopted Zoning Code which creates, preserves and maintains scenic vistas in keeping with the classic traditions as embodied in the original city plan.	Complies
7.	<b>Objective FLU-1.14.</b> The City shall enforce Zoning Code provisions which continue to preserve and improve the character of neighborhoods.	Complies
8.	<b>Goal FLU-3.</b> The City as a part of its development review process shall engage public/community participation and collaboration to provide for a transparent development review process.	Complies
9.	<b>Objective FLU-3.1.</b> The City shall continue its efforts to notify stakeholders, residents, property owners and neighborhood associations of pending development reviews to provide transparency within the development process.	Complies
10.	<b>Objective DES-1.1.</b> Preserve and promote high quality, creative design and site planning that is compatible with the City’s architectural heritage, surrounding development, public spaces and open spaces.	Complies
11.	<b>Policy DES-1.1.1.</b> Promote and support George Merrick’s vision consistent with the established historic and cultural fabric of the City.	Complies
12.	<b>Policy DES-1.1.5.</b> Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding districts, by regulating, limiting and determining the location, height, density, bulk and massing, access to light and air, area of yards, open space, vegetation and use of buildings, signs and other structures.	Complies
13.	<b>Policy DES-1.1.6.</b> Maintain the character of the residential and nonresidential districts, and their peculiar suitability for particular uses.	Complies
14.	<b>Policy DES-1.1.7.</b> Preserve residential properties to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance.	Complies

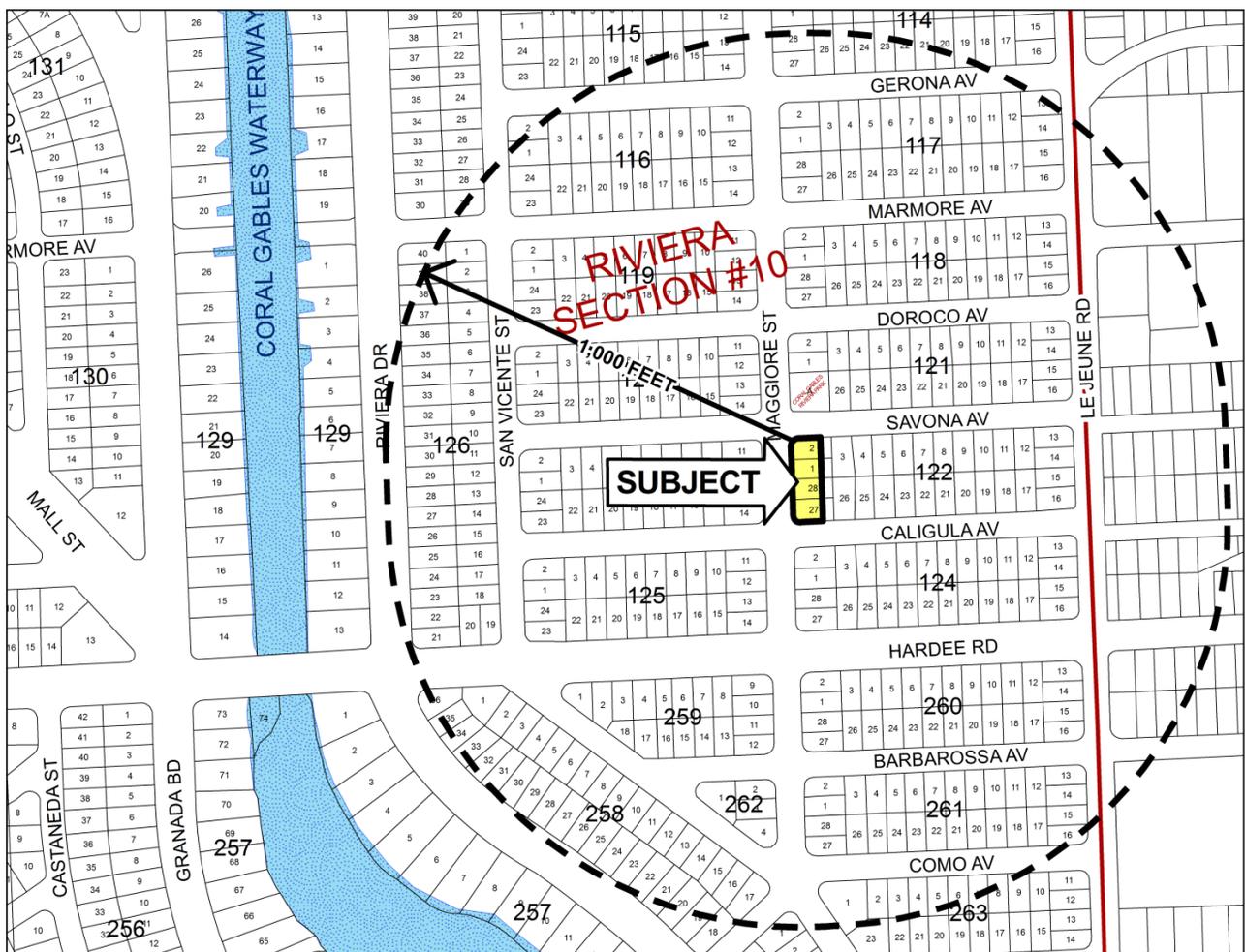
*Staff Comments:* Staff’s determination that this Application is “consistent” with the CP’s goals, objectives and policies that are identified is based upon compliance with conditions of approval recommended by Staff and site plan review requirements for future plans for the new residence that will be constructed on the two (2) proposed building sites.

**Public Notification and Comments.**

The Zoning Code requires that a courtesy notification be provided to all property owners within 1,000 feet of the subject property. The notice lists the type of applications filed, proposed public hearing dates/time and location where the application files can be reviewed. The notice also provides for an opportunity to submit comments on pending applications. 285 notices were mailed to surrounding property owners. A Copy of the legal advertisement and courtesy notice are provided as Attachments B and C. Copies of public comments received shall be provided to the Board at the public hearing.

A map of the notice radius is as follows:

**Courtesy Notification Radius Map**



The following has been completed to solicit input and provide notice of the Application:

**Public Notice**

Type	Date
Public information meeting	07.30.13
Courtesy notification - 1,000 feet of the property	08.29.13
Posting of property	08.29.13
Legal advertisement	08.29.13
Posted agenda on City web page/City Hall	09.03.13
Posted Staff report on City web page	09.06.13

**Staff Recommendation and Conditions of Approval.**

The Planning Division based upon the complete Findings of Fact contained within this Report recommends **denial** of the following with the conditions of approval as specified herein:

*“An Ordinance of the City Commission of Coral Gables, Florida requesting Conditional Use Review for a Building Site Determination pursuant to Zoning Code Article 3, “Development Review”, Section 3-206, “Building Site Determination” to create two (2) separate single-family building sites on property assigned Single-Family Residential (SFR) zoning; one building site consisting of the west seventy-three (73) feet of Lots 1 and 2 and the other the west seventy-three (73) feet of Lots 27 and 28 on property legally described as the west seventy-three (73) feet of Lots 1-2 and 27-28, Block 122, Riviera Section Part 10 (6009 Maggiore Street), Coral Gables, Florida; including required conditions; providing for severability, repealer, codification, and an effective date.”*

**Summary of the Basis for Denial**

Planning Staff based upon the Findings of Fact contained herein, does not support the Application because the Application does not satisfy at least four (4) of the six (6) criteria per Zoning Code, Article 3, Development Review, Section 3-206, Building Site Determination, Subsection F. Staff has determined that the application satisfies three (3) of six (6) of the Zoning Code’s criteria for review.

**Alternative Recommendation - Conditions of Approval**

If the Planning and Zoning Board and the City Commission determine based upon the additional information submitted by the applicant and the facts of the application, testimony, and evidence received that the application satisfies the criteria, and desires to recommend **approval** of the proposed building site separation, then the Planning Department Staff recommends the application be recommended for approval by the Board subject to the following conditions of approval:

1. The applicant/property owner shall submit an application for public hearing and all required

supporting drawings and documentation for the re-plat of the property as required by the Zoning Code. Approval of a final plat allowing for the two (2) buildings sites as proposed and presented with the application for Conditional Use review for a Building Site Determination shall be required before any building permit shall be issued for the construction of either single-family residence.

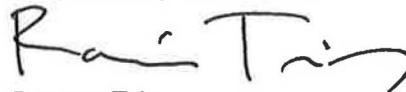
2. The new single-family residences constructed on the two building sites shall meet all applicable requirements of the Zoning Code, and no variances shall be required or requested.
3. A detailed landscape plan including an existing tree survey indicating those trees that will be removed, relocated or replaced and a root preservation plan shall be prepared and provided by the Applicant, subject to review and approval of the Directors of the Public Service Division and the Planning and Zoning Division prior to the issuance of a building permit for either building site.

**A t t a c h m e n t s .**

- A. Applicant's submittal package.
- B. 08.29.13 Legal notice published.
- C. 08.29.13 Courtesy notice mailed to all property owners within 1,000 feet.

Please visit the City website at [www.coralgables.com](http://www.coralgables.com) to view all application materials. The complete application also is on file and available for examination during business hours at the Planning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,



Ramon Trias  
Director of Planning and Zoning  
City of Coral Gables, Florida