



City of Coral Gables Planning and Zoning Staff Report

Applicant:	City of Coral Gables
Application:	<u>Zoning Code Text Amendment: Snapper Creek Site Specifics</u>
Public Hearing:	Planning and Zoning Board
Date & Time:	January 10, 2024; 6:00 – 9:00 p.m.
Location:	City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

The application request is for a Zoning Code Text Amendment to the Snapper Creek Site Specifics to include all types of accessory uses in the rear yard ground coverage calculation and to remove outdated Section A-94-2. The request also includes stricter setbacks to be consistent with the Snapper Creek Lakes' protective covenants.

The request requires three public hearings, including review and recommendation by the Planning & Zoning Board, and 1st and 2nd Reading before the City Commission. The Ordinance under consideration is as follows:

An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to Appendix A "Site Specific Zoning Regulations," Section A-94 "Snapper Creek Lakes" of the City of Coral Gables Official Zoning Code to include all types of accessory uses in the rear yard ground coverage calculation, to remove outdated Section A-94-2, and to provide consistency with the Snapper Creek Lakes' protective covenants by increasing various setbacks; providing for severability, repealer, codification, and an effective date.

2. APPLICATION SUMMARY

A Zoning Code text amendment has been submitted by Ms. Laura L. Russo, Esq. on behalf of the Snapper Creek Lakes Homeowners Association (the "Applicant"). The text amendment proposes to include all accessory structures, including swimming pools, allowed by the Zoning Code for single-family residences in the rear yard ground coverage calculation; provide consistency with the Snapper Creek Lakes' protective covenants by increasing setbacks; increase various accessory structures' setbacks from 7'-6" to 8'; update the number of boat slips; and remove the repetitive Section A-94-2 from the Snapper Creek Site Specifics.

When Snapper Creek was annexed into the City on June 26, 1996, the City established site specific regulations via Ordinance No. 3249, particularly:

- Building sites shall be no less than one fully-platted lot, no less than one (1) acre, and shall have a minimum lot width of one hundred and twenty-five (125') feet;

- Ground coverage shall be no more than fifteen (15%) percent for the principal building and up to five (5%) percent of the rear yard for accessory uses and structures; and
- All lots shall provide a minimum front setback of fifty (50'), side setback of fifteen (15'), and side street setback of twenty-five (25').

Proposed Ground Coverage Amendment

Per Section 3-308 of the Zoning Code, a pool is included in the calculation for ground area to be occupied by accessory structures throughout the city. When Snapper Creek Lakes was annexed, this specificity for pool coverage calculation was not included, and therefore was reviewed as all other single-family properties in the city. However, clarification was requested and provided by Miami-Dade County to clarify how the county had included pools when calculating the accessory use lot coverage. A letter was provided by the County's Zoning Permitting Division Chief that confirmed swimming pools are not included when calculating the 5% rear yard area of the former EU-1 zoning (Attachment B). Therefore, City Zoning staff was directed to not include pools in this calculation. The proposed amendment requests that all accessory structures, including pools, be included in the rear yard calculation, similar to the rest of the city.

Proposed Removal of Section A-94-2

Currently there are two references to Snapper Creek in the Site Specifics – Section A-94 and Section A-94-2. The regulations provided in Section A-94 were adopted during the annexation process. However, Ordinance No. 3558 was adopted in 2002 to provide numerous subdivisions cross reference in annexed areas, and included another Snapper Creek site specific section that referenced Hammock Lakes applicable site specific requirements. This additional site specific regulation has only recently caused confusion when the City Commission increased the allowed lot coverage from 15% to 25% for Hammock Lakes. The proposed text amendment removes the conflicting Section A-94-2 that refers to Section A-56 Hammock Lakes requirements. Moving forward, only Section A-94 will provide Snapper Creek Site Specific requirements.

Proposed Increased Setbacks

The protective covenants of Snapper Creek Lakes require greater setbacks than the 1997-adopted site specific regulations in Section A-94 of the Zoning Code. The current site specific regulations mirror the former Miami-Dade County EU-1 zoning requirements, that were adopted into the Coral Gables site specifics. However, these are inconsistent with required setbacks mandated by the protective covenants. The applicant is requesting to amend the site specific regulations to be consistent with the setbacks required in their protective covenants. In addition to the setbacks provided in the restrictive covenants, the Applicant is proposing to increase the setback of 7'-6" of various accessory structures to a minimum of 8'.

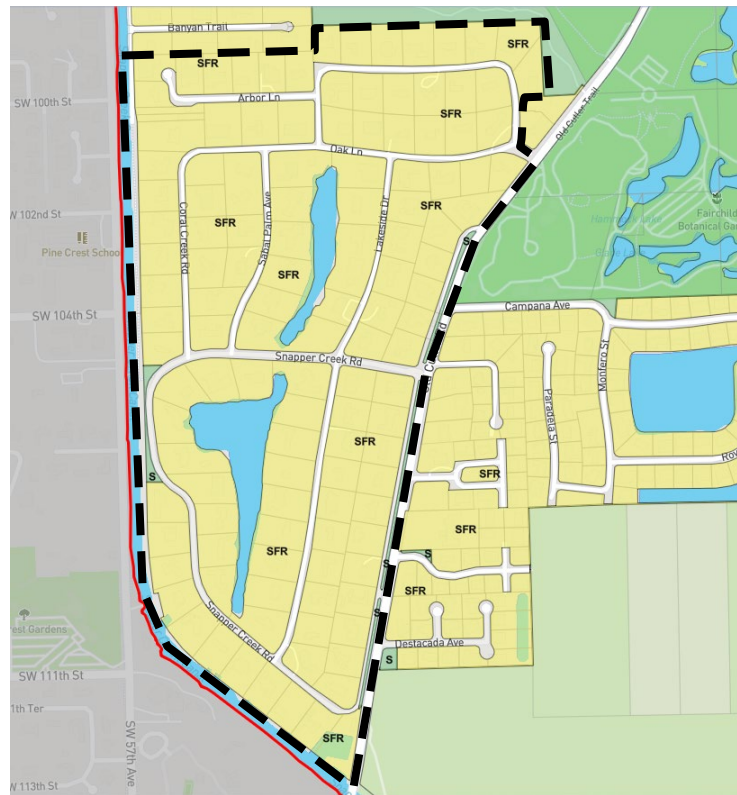
Review Process

Sections of the Snapper Creek Lakes' charter and protective covenants address the processing and approval of plans and enforcing applicable zoning regulations. Applicants are first required to submit

plans, including landscaping plans, to the Homeowners Association to be reviewed by the HOA architect. Second, the Club mails notices to affected property owners about the submission. Third, within 60 days of the notice, the affected property owners submit their approval or disapproval of the submitted plans to their HOA. Fourth, The Club approves or disapproves the plans based on compliance with the provisions set forth in Covenant 6 and the affected property owners’ concerns. Once the decision is made by the HOA architect, the HOA is advised and affixes the HOA stamp on the plans. After the HOA approval, the plans are then submitted to the City for review and permitting.

The homeowners association approval process is common in these subdivisions that were annexed into the City of Coral Gables, such as Gables Estates, Deering Bay, and Journey’s End.

Below is a map of the affected area of Snapper Creek Lakes Subdivision:



The proposed text amendment would apply to all properties within Snapper Creek. Below includes all 124 platted lots and highlights in gray the properties built after 2013 when the City began to apply the County’s method of calculating the accessory structures in the rear yard calculations. The properties highlighted in green are currently vacant.

The properties built after 2013 may have not included a pool in their rear yard ground coverage calculations, as clarified by the County’s corespondance. However, the vacant properties will need to comply with the proposed method to include all accessory structures in rear yard calculation, as well as the proposed increased setbacks related to accessory structures.

FOLIO	ADDRESS	LOT SIZE	YEAR BUILT	BUILDING ACTUAL AREA
0351060000170	10015 SNAPPER CREEK RD	21344	1937	2752
0351060000180	10005 SNAPPER CREEK RD	21344	1937	1218
0351060120010	9950 SEA GRAPE CIR	51401	1964	4852
0351060120020	5455 ARBOR LN	51401	1963	7040
0351060120030	5505 ARBOR LN	51401	1970	3932
0351060120040	5545 ARBOR LN	51401	2008	11085
0351060120050	5577 ARBOR LN	49223	1998	7872
0351060120060	5601 ARBOR LN	40380	2005	5352
0351060120070	5635 ARBOR LN	34199	1959	3366
0351070000090	10400 OLD CUTLER RD	51401	1982	8145
0351070040010	11055 SNAPPER CREEK RD	76230	9999	0
0351070040015	10920 LAKESIDE DR	63034	1989	4821
0351070040020	10900 LAKESIDE DR	66573	2022	18983
0351070040040	10850 LAKESIDE DR	64904	1969	5071
0351070040050	10800 LAKESIDE DR	64003	1962	9179
0351070040060	10750 LAKESIDE DR	64033	1962	5618
0351070040070	10640 LAKESIDE DR	62726	0	0
0351070040080		57499	0	0
0351070040090	10520 LAKESIDE DR	68825	2008	13078
0351070040100	5400 SNAPPER CREEK RD	60984	1966	5770
0351070040110	5500 SNAPPER CREEK RD	68825	2017	12354
0351070040120	10501 SNAPPER CREEK RD	62290	1956	5793
0351070040130	10601 SNAPPER CREEK RD	61855	2004	9783
0351070040140	10645 SNAPPER CREEK RD	82764	2018	17074
0351070040150	10705 SNAPPER CREEK RD	70132	2008	9413
0351070040160	10801 SNAPPER CREEK RD	55321	1990	9827
0351070040170	10845 SNAPPER CREEK RD	54450	1967	8097
0351070040180	10905 SNAPPER CREEK RD	55757	1963	7785
0351070040190	10700 SNAPPER CREEK RD	58370	1960	8867
0351070040200	10840 SNAPPER CREEK RD	52708	1959	8138
0351070040210	10900 SNAPPER CREEK RD	50965	1967	6302
0351070040220	10950 SNAPPER CREEK RD	50094	1967	5945
0351070040230	11000 SNAPPER CREEK RD	55321	1966	8258
0351070040240	11040 SNAPPER CREEK RD	52708	1960	5767
0351070040250	11090 SNAPPER CREEK RD	52708	1999	10859
0351070040260	11100 SNAPPER CREEK RD	52708	1987	9082
0351070040270	11140 SNAPPER CREEK RD	52708	0	0
0351070040280	11180 SNAPPER CREEK RD	54829	2009	16714
0351070040290	11190 SNAPPER CREEK RD	78370	2016	4177
0351070040300	11125 SNAPPER CREEK RD	51401	1968	6441
0351070040310	11050 OLD CUTLER RD	49658	1966	7013
0351070040320	11000 OLD CUTLER RD	49658	1959	6930
0351070040330	10950 OLD CUTLER RD	49658	2006	13849
0351070040340	10900 OLD CUTLER RD	49658	1959	5087
0351070040350	10840 OLD CUTLER RD	49658	0	0
0351070040360	10800 OLD CUTLER RD	49658	1957	4724
0351070040370	10700 OLD CUTLER RD	49658	1962	3625

0351070040380	10600 OLD CUTLER RD	49658	1962	5165
0351070040390	10550 OLD CUTLER RD	49658	2003	8988
0351070040400	5200 SNAPPER CREEK RD	49658	1982	6597
0351070040410	5250 SNAPPER CREEK RD	49658	2006	12178
0351070040420	10615 LAKESIDE DR	49658	1957	7740
0351070040430	10645 LAKESIDE DR	49658	1957	6101
0351070040440	10725 LAKESIDE DR	49223	1970	4782
0351070040450	10745 LAKESIDE DR	50094	2009	12591
0351070040460	10855 LAKESIDE DR	46609	1961	5790
0351070040470	10915 LAKESIDE DR	46174	1964	4947
0351070040480	10945 LAKESIDE DR	47916	0	0
0351070040490	11015 LAKESIDE DR	47916	1956	5330
0351070040500	11095 LAKESIDE DR	52708	1964	6812
0351070040510	5228 OAK LN	50965	2010	12915
0351070040520	5230 OAK LN	48787	0	0
0351070040530	5252 OAK LN	48352	1997	9183
0351070040540	10101 LAKESIDE DR	55321	2015	10482
0351070040550	10185 LAKESIDE DR	55321	1956	8886
0351070040560	10255 LAKESIDE DR	56192	1960	7124
0351070040570	10325 LAKESIDE DR	56192	2002	7971
0351070040580	10415 LAKESIDE DR	52708	1957	5019
0351070040590	10445 LAKESIDE DR	49658	2008	10115
0351070040600	5255 SNAPPER CREEK RD	47916	2020	11876
0351070040610	10350 OLD CUTLER RD	43560	2020	7152
0351070040620	10300 OLD CUTLER RD	45738	1969	4897
0351070040630	10250 OLD CUTLER RD	46174	1968	7589
0351070040640	10200 OLD CUTLER RD	64469	1958	7363
0351070040650	5200 FAIRCHILD WAY	54450	1961	4678
0351070040660	5250 FAIRCHILD WAY	53579	1956	6666
0351070040670	5290 FAIRCHILD WAY	53579	1965	4463
0351070040680	5300 FAIRCHILD WAY	51836	1965	3278
0351070040690	5340 FAIRCHILD WAY	50094	1956	5673
0351070040700	5400 FAIRCHILD WAY	49223	2017	11531
0351070040710	5365 OAK LN	53579	1957	4134
0351070040720	5335 OAK LN	50094	1962	4288
0351070040730	5301 OAK LN	52272	1956	3905
0351070040740	5275 OAK LN	53579	1993	6806
0351070040750	5245 OAK LN	53579	0	0
0351070040760	5201 OAK LN	60113	1957	9247
0351070040770	9999 FAIRCHILD WAY	48352	1956	5455
0351070040780	9979 FAIRCHILD WAY	76230	1980	4558
0351070040790	5225 FAIRCHILD WAY	51836	2009	15327
0351070040800	5275 FAIRCHILD WAY	57935	1958	4030
0351070040810	5295 FAIRCHILD WAY	58370	2005	6056
0351070040820	5325 FAIRCHILD WAY	57499	2003	10137
0351070040830	5345 FAIRCHILD WAY	57499	1960	5307
0351070040840	5395 FAIRCHILD WAY	52272	1963	6506
0351070040850	10100 LAKESIDE DR	65340	1956	9575

0351070040860	10140 LAKESIDE DR	62726	1958	3268
0351070040870	10250 LAKESIDE DR	115870	2020	20572
0351070040890	10400 LAKESIDE DR	58370	1965	6691
0351070040910	10355 SABAL PALM AVE	135472	2009	16862
0351070040920	10315 SABAL PALM AVE	69260	2018	12139
0351070040930	10305 SABAL PALM AVE	64033	1995	4953
0351070040940	10255 SABAL PALM AVE	61420	1964	8993
0351070040950	10201 SABAL PALM AVE	63498	1995	11734
0351070040960	10101 SABAL PALM AVE	73181	2015	14520
0351070040980	10120 SABAL PALM AVE	100000	1959	10453
0351070040990	10200 SABAL PALM AVE	49658	1963	5406
0351070041000	10300 SABAL PALM AVE	57499	1993	6122
0351070041010	10345 CORAL CREEK RD	63598	1966	6102
0351070041020	5501 SNAPPER CREEK RD	56192	2021	8284
0351070041030	10305 CORAL CREEK RD	57499	2005	6869
0351070041040	10225 CORAL CREEK RD	49658	1999	6663
0351070041050	10205 CORAL CREEK RD	49658	2002	7719
0351070041060	10101 CORAL CREEK RD	47839	0	0
0351070041070	5401 OAK LN	66211	1958	3670
0351070041080	5501 OAK LN	66211	1966	4149
0351070041090	5555 OAK LN	63598	1959	6652
0351070041100	5575 OAK LN	80150	1964	4452
0351070041110	10100 CORAL CREEK RD	51836	1959	6948
0351070041120	10200 CORAL CREEK RD	52708	1965	4885
0351070041130	10220 CORAL CREEK RD	52708	2001	8735
0351070041140	10300 CORAL CREEK RD	52708	1960	5828
0351070041150	10350 CORAL CREEK RD	52708	1960	7759
0351070041160	10400 CORAL CREEK RD	52708	1968	4074
0351070041170	10500 SNAPPER CREEK RD	53579	1971	3902

3. PROPOSED ZONING CODE TEXT AMENDMENT

The proposed Zoning Code text amendments are provided below in ~~strike through~~/underline format.

Section A-94 – Snapper Creek Lakes.

The Snapper Creek Section known as Snapper Creek Lakes Subdivision was approved by the City of Coral Gables City Commission for the following: 1) Annexation via Resolution No. 28947 on November 14, 1995 (ratified by Miami-Dade County via Ordinance No. 96-58 on June 26, 1996); 2) Land Use and Zoning Designation via Ordinance No. 3207 on December 7, 1996; and establishment of Site Specific Regulations via Ordinance No. 3249 on May 13, 1997. The following provisions shall apply exclusively to the Snapper Creek Lakes Subdivision single family residences:

- A. Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.
- B. Building sites. No new building site shall contain less than one (1) fully platted lot and have an area of less than one (1) acre. The minimum lot width of any new building site shall be one hundred twenty-five (125) feet. Platted lots as of the date of annexation within Snapper Creek Lakes shall

be exempt from the provisions of Section 14-202.6. Each platted lot shall constitute a separate building site, provided there is no encroachment of any structure(s) into the established setback areas or across property lines. If such encroachment(s) exist(s), then upon removal of same, the platted lot(s) shall be deemed separate building sites.

- C. Ground coverage. No single-family residence shall occupy more than fifteen (15%) percent of the ground area of the building site upon which the residence is erected. In addition, up to five (5%) percent of the rear yard may be used for accessory uses and structures, as allowed and defined in the City of Coral Gables Zoning Code for single family residential use.
- D. Height of buildings. No single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site.
- E. Height of walls and fences. Walls and fences may have a maximum height of six (6) feet; provided that in no case shall a wall or fence violate the triangle of visibility requirements of this code.
- F. Roof-Materials. Roofs of new and existing structures shall use materials which are consistent with the roof materials which have been used for the existing buildings in the Snapper Creek area.
- G. Setbacks-Principal building.
 - 1. All lots shall provide a minimum front setback of fifty (50) feet.
 - 2. All lots shall provide a minimum side setback of ~~fifteen (15)~~ thirty (30) feet.
 - 3. All lots which have a side street shall provide a minimum side street setback of ~~twenty-five (25)~~ fifty (50) feet.
 - 4. All lots shall provide a minimum rear setback of ~~twenty-five (25)~~ thirty (30) feet.
 - 5. All lots located on a lake or waterway shall provide a minimum waterfront setback of thirty-five (35) feet.
- H. Setbacks-Accessory Buildings general.
 - 1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
 - 2. All accessory buildings shall provide a minimum side setback of ~~twenty (20)~~ thirty (30) feet.
 - 3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of ~~thirty (30)~~ fifty (50) feet.
 - 4. All accessory buildings shall provide a minimum rear setback of ~~seven (7) feet and six (6) inches~~ eight (8) feet.
 - 5. All accessory buildings on lots located on a lake or waterway shall provide a minimum waterfront setback of ~~seven (7) feet and six (6) inches~~ eight (8) feet and shall be limited to gazebos (open on all sides) and generator surrounded by hedges.
- I. Setbacks-Swimming pools.
 - 1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
 - 2. Swimming pools shall provide a minimum side setback of ~~twenty (20)~~ thirty (30) feet.

- 3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of ~~thirty (30)~~ fifty (50) feet.
- 4. Swimming pools shall provide a minimum rear setback of ~~seven (7) feet and six (6) inches~~ eight (8) feet.
- 5. Swimming pools on lots located on a lake or waterway shall provide a minimum waterfront setback of ~~seven (7) feet and six (6) inches~~ eight (8) feet.

J. Setbacks-Tennis courts.

- 1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
- 2. Tennis courts shall provide a minimum side setback of ~~twenty (20)~~ thirty (30) feet.
- 3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of ~~thirty (30)~~ fifty (50) feet.
- 4. Tennis courts shall provide a minimum rear setback of ~~seven (7) feet and six (6) inches~~ eight (8) feet.
- 5. Tennis courts on lots located on a lake or waterway shall provide a minimum waterfront setback of ~~seven (7) feet and six (6) inches~~ eight (8) feet.

K. Setbacks-Screened enclosures.

- 1. Screened enclosures shall provide a minimum front setback of seventy-five (75) feet.
- 2. Screened enclosures shall provide a minimum side setback of ~~fifteen (15)~~ thirty (30) feet.
- 3. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of ~~twenty five (25)~~ fifty (50) feet.
- 4. Screened enclosures shall provide a minimum rear setback of ~~six (6)~~ eight (8) feet.
- 5. Screened enclosures on lots located on a lake or waterway shall provide a minimum waterfront setback of ~~seven (7) feet and six (6) inches~~ eight (8) feet.

- L. As according to the Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any twelve (12) month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.

Section A-94-1 – Snapper Creek Lakes – Tract A.

- E. Boat marina. The maximum number of wet marina boat slips shall be ~~thirty five (35)~~ thirty-six (36) and ~~thirty two (32)~~ thirty-one (31) ground level dry storage spaces. The marina and all associated boat marina support facilities including but not limited to docks, finger piers, etc. shall satisfy all applicable local, county, state and federal requirements for the operations permitted pursuant to the approvals granted via City of Coral Gables Resolution No. 28947 (Annexation), Ordinance No. 3207 (Land Use and Zoning Designation) and Ordinance No. 3249 (Site Specific Single-Family Regulations). A boat slip as referenced herein is defined as that portion of a pier, finger pier, or float where a boat is moored for the purpose of berthing, embarking or disembarking.

Section A-94-2 – Snapper Creek Lakes Sub.

~~Refer to section A-56 Hammock Lakes for applicable site-specific requirements in addition to general code requirements.~~

4. REVIEW TIMELINE / PUBLIC NOTICE

City Review Timeline

The submitted applications have undergone the following City reviews:

REVIEW COMMITTEES AND BOARDS	DATE
Planning and Zoning Board	01.10.24
City Commission – 1 st Reading	TBD
City Commission – 2 nd Reading	TBD

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

PUBLIC NOTICE	DATE
Legal advertisement	12.28.23
Posted agenda and Staff report on City web page/City Hall	01.05.24

Public Notification and Comments

The Applicant held the mandatory neighborhood meeting on December 11, 2023 with notification to all property owners within Snapper Creek Lakes Subdivision and outside for 1,000 feet. A copy of the meeting invitation and attendance list is on file with the Planning Division.

The Zoning Code requires notification be provided to all property owners within 1,000 feet of the property. The notification was sent on November 30, 2023. The notice indicates the following: applications filed; public hearing dates/time/location; where the application files can be reviewed and provides for an opportunity to submit comments. There were 311 notices mailed. A copy of the legal advertisement and notice are provided as Attachment C.

5. FINDINGS OF FACT

The request is a Text Amendment to Appendix A, “Site Specific Zoning Regulations,” Section A-94, “Snapper Creek Lakes.” The proposed changes are provided in Attachment A.

Zoning Code Section 14-212.5 provides review standards for Zoning Code text amendments:

Standard	Staff Evaluation
a. Promotes the public health, safety, and welfare.	The intent of the proposed amendment is to provide consistency between the private protective covenants of Snapper Creek Lakes and the site specific regulations in the

	<p>Zoning Code. The current inconsistencies are the differences of the required setbacks. The Applicant’s proposed increased setbacks and removal of obsolete site specific references in the Zoning Code will provide clarity and consistency between the Zoning Code and private protective covenants, and may streamline the design process for future homes.</p>
<p>b. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.</p>	<p>The proposed amendment does not affect any uses permitted in the Comprehensive Plan.</p>
<p>c. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.</p>	<p>The proposed text amendment does not allow densities or intensities in excess of what are permitted by the future land uses.</p>
<p>d. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Plan.</p>	<p>The proposed text amendment will not affect the level of service for public infrastructure.</p>
<p>e. Does not directly conflict with any objective or policy of the Comprehensive Plan.</p>	<p>The proposed amendments to increase the setbacks for consistency with the Snapper Creek Lakes’ protective covenant and to eliminate the obsolete site specific reference do not conflict with any goal, objective or policy. However, Policy PRP-1.1.2 requires that the City consider the right of a property owner to use, maintain, develop, and improve their property for personal use. Changing the method of calculating pools as an accessory use may affect the current rights of a Snapper Creek property owner to build a pool in their backyard. Additionally, increasing various setbacks for accessory structures from 7’-6” to 8’ may also affect a property owner’s current rights to improve their property.</p>

Staff comments: The proposed text amendments to the Zoning Code remove an obsolete reference, increase setbacks to be consistent with Snapper Creek Lakes’ protective covenants, and calculate all rear yard accessory structures – including pools - to be included with the 5% maximum rear yard ground coverage.

The proposed increased interior setbacks of 30’ and side street setbacks of 50’ are currently being enforced by the Homeowners Association, and will therefore not be a change for individual properties. Similarly, the proposed update to the maximum number of boat slips at the marina is to be consistent with the current operation permit with the County.

However, the inclusion of pools in the 5% maximum rear yard lot coverage is a change in policy. In 2013, the City received confirmation from the County that the previous County zoning of EU-1 does not include swimming pools when calculating the 5% rear yard area. Since then, the City has not included pools in the ground coverage calculation. The proposed change in the method of the ground coverage calculation affects the property rights of current owners to add or expand a pool in their backyard. Additionally, increasing the required setback for various accessory structures from 7'-6" to 8' may also affect a property owner's rights to expand and develop their property.

The increased setbacks to be consistent with the protective covenants fulfills the goals, objectives, and policies of the Comprehensive Plan to promote the development of property by regulating the location of area of yards, open space, and vegetation.

However, the proposed change to the method of calculating pools for ground coverage and the increase 6" setback are not consistent with the Property Rights element of the Comprehensive Plan. Therefore, Staff recommends removing the proposed inclusion of the pool in the ground coverage calculation and removing the proposed 6" increase of setback for the various accessory structures. The standards identified in Section 14-212.5 for the proposed Zoning text amendment are **satisfied**.

6 . STAFF RECOMMENDATION

Based upon the complete Findings of Fact contained within this report, staff recommends **Approval, with conditions**.

1. Remove proposed language regarding ground coverage for accessory uses and structures in subsection C of Section A-94.
2. Remove proposed 6" increased setback from 7'-6" to 8' of various accessory structures in subsections H, I, J, and K of Section A-94.

7. ATTACHMENTS

- A. Applicant's Submittal Package.
- B. Miami Dade County - Accessory Use Lot Coverage clarification of July 19, 2013.
- C. Mailed notice and legal advertisement published.
- D. PowerPoint Presentation.

Please visit the City's webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,



Jennifer Garcia, AICP, CNU-A
Planning Official
City of Coral Gables, Florida

Mark Beardon



Regulatory and Economic Resources
Zoning Permitting and Inspection
11805 S.W. 28 Street (Coral Way) • Room 112
Miami, Florida 33175-2474
T 786-315-2660 F 786-315-2927

miamidade.gov/development

July 19, 2013

Mr. David W. Johnson, AIA, P.A.
7740 SW 104 Street, Suite 101
Pinecrest, Florida 33156

Re: Accessory Use Lot Coverage

Dear Mr. Johnson:

This letter serves as confirmation that the Zoning Code of Miami-Dade County allows an accessory structure in the EU-1 zoning classification to be two stories or 35 feet in height. Accessory structures cannot occupy a greater percent of rear yard area than 5%. Miami-Dade County does not include swimming pools when calculating the 5% rear yard area. This provision of the code was in effect in 1996 when Hammock Lake Two was annexed by the City of Coral Gables.

Sincerely,

A handwritten signature in black ink that reads "James Byers". The signature is fluid and cursive.

James Byers
Zoning Permitting Division Chief

c: Martha Salazar-Blanco, Zoning Administrator, City of Coral Gables

Guilford & Associates, P.A.
Attorneys at Law

F. W. ZEKE GUILFORD
E-MAIL: ZGUILFORD@GUILFORDASSOC.COM

June 19, 2013

400 UNIVERSITY DRIVE
SUITE 201
CORAL GABLES, FLORIDA 33134
TEL (305) 446-8411
FAX (305) 445-0563

Mr. Craig Leen, Esq.
City Attorney
City of Coral Gables
405 Biltmore Way
Coral Gables, FL 33134

Re: 5270 Kendall Drive

Dear Mr. Leen:

This firm has been retained by Mr. David Johnson, a local architect, who has worked extensively in the City of Coral Gables and Miami-Dade County for more than forty (40) years, relative to a legal opinion regarding the applicable zoning code provisions for an annexed area of the City of Coral Gables. Over the years there has been varying interpretation by the Coral Gables Zoning Department and we are asking, at this point, for your legal opinion.

In 1996, several neighborhoods that were located in unincorporated Miami-Dade County were incorporated into the City of Coral Gables. In many of those cases, the properties had an EU-1 zoning designation (Miami-Dade County zoning designation). The designation pertained to a certain size of single family designated properties. The zoning provisions from the county were adopted and inserted into the Coral Gables Zoning code as Site Specific Regulation. However, the definition for that site specific regulations were not incorporated into the city's zoning code. In those cases, county regulations were being interpreted and defined using the city's regulations. Some of these interpretations ended up requiring variances, where under either, Miami-Dade County or Coral Gables code alone, a variance would not be require at all.

In this particular case to which we write, Mr. Johnson developed a set of drawings for Rosa and Francisco Ramirez de Arellano for property located at 5270 Kendall Drive. The architect, Mr. Johnson, designed a single family residence that complied with the site specific regulation (formerly the EU-1 County Designation). The plans were delivered to the city for review. The zoning department reviewer has made two (2) comments that conflict with the intent of the site specific regulations. The conflicts pertain to auxiliary structures and rear lot coverage.

Pursuant to the Miami-Dade County Zoning Code swimming pools do not count towards lot coverage. Pursuant to the City's zoning regulations, they do. Herein lays the problem. Miami-Dade County's website provides that lot coverage is defined as "the percentage that the

building occupies (building area *under roof* at ground level/total lot area = lot coverage percentage)" [emphasis added]. See attachment 1. While Section 4-101D8 of the Coral Gables Zoning Code provides that "[a]uxiliary buildings and structures, including swimming pools, may occupy additional ground coverage, the total ground coverage occupied by the main building or structure and auxiliary structures shall not exceed forty-five (45%) percent". See Attachment 2. What is interesting is that the county allows for a five (5%) percent increase for auxiliary structures and excludes swimming pools and the city allows for an additional ten (10%) percent lot coverage and includes swimming pools. Thus, the problem has arisen whereby the City is including the swimming pool as part of lot coverage, but using the County's five (5%) percent rear yard coverage.

In addition, there is an issue regarding whether a guesthouse is permitted as an auxiliary structure. Miami-Dade County Zoning Code provides that in Section 33-226 that in an EU-1 single family estate district a guest house and/or servants quarters are permitted as in incidental use to the principal residence. See Attachment 3. Further Section 33-229 provides that "the principal residence and/or accessory building in EU-1 Districts may be two (2) stories or thirty-five (35) feet in height". See Attachment 4. Unfortunately, pursuant to Section 5-105 of the Coral Gables Zoning Code, "[a] guesthouse will be permitted as accessory to a residential estate". See Attachment 5. By definition of Residential Estate, the subject property does not conform to the definition.

Finally, I have included an email correspondence between Mr. Johnson and James Byers, Zoning Department Division Chief. Mr. Byers confirms that accessory structures can be two (2) stories and swimming pools are not included as part of the rear five (5%) percent lot coverage. See Attachment 6.

In closing, now as in the past, architects are struggling with the issue of Site Specific zoning regulations that were taken in whole from the Miami-Dade County Zoning Code and being defined or interpreted by the Coral Gables Zoning Code. It is clear that that if the Miami-Dade Zoning Code was incorporated into the Coral Gables Zoning Code, then the city must use the definitions and interpretations of the Miami-Dade County Zoning Code and thereby avoiding unintended consequences.

I look forward to receipt of your legal opinion and if you have any questions or need any additional information, please do not hesitate to contact me.

Very sincerely,
Guilford & Associates, P.A.



F.W. Zeke Guilford, Esq.

Cc: David Johnson

Subject: FW: RE:
From: Zeke Guilford (ZGuilford@guilfordassoc.com)
To: msalazar-blanco@coralgables.com;
Cc: davidjohnson_aia@bellsouth.net;
Date: Tuesday, August 20, 2013 3:17 PM

Per Zeke's instructions.

-----Original Message-----

From: Leen, Craig [mailto:cleen@coralgables.com]
Sent: Tuesday, July 30, 2013 3:31 PM
To: Zeke Guilford
Cc: Trias, Ramon
Subject: RE: RE:

Zeke,

I have reviewed the issue with Development Services, and it looks like the City's interpretation is similar to the one you provided (this is our preliminary assessment and remains subject to change with additional review). I have referred the matter to the Planning & Zoning Director, Ramon Trias, whose division will be providing you a letter soon.

Best regards,
Craig

Craig E. Leen
City Attorney

Raul Lima

From: Gonzalez, Elizabeth
Sent: Friday, December 20, 2013 2:54 PM
To: Tejera, Erick; Ferrer, Irela; Rodriguez, Steven
Subject: FW: 5% Rear yard coverage for annexed properties

From: Gonzalez, Elizabeth
Sent: Friday, December 20, 2013 2:54 PM
To: Rodriguez, Steven; Tejera, Erick; Ferrer, Irela
Subject: FW: 5% Rear yard coverage for annexed properties

Clarification:

This is applicable to all annexed single family homes which were originally in Miami Dade County.

Liz

From: Trias, Ramon
Sent: Friday, December 20, 2013 1:52 PM
To: Gonzalez, Elizabeth
Subject: RE: 5% Rear yard coverage for annexed properties

Elizabeth:

Pools will not be considered accessory structures in areas of the City of Coral Gables originally developed as unincorporated county, where site specific regulations are based on prior Miami-Dade County regulations where pools were not counted as accessory structures.

Ramon

From: Gonzalez, Elizabeth
Sent: Friday, December 20, 2013 12:53 PM
To: Trias, Ramon
Subject: 5% Rear yard coverage for annexed properties

Good afternoon Ramon:

Attached is the information you requested. The letter from Miami Dade County can be found in the second attachment titled "email from Craig" it is the third page.

As soon as you provide the written interpretation, I will forward to the Zoning Technicians so that we discontinue counting pools as an accessory structure.

Thank you,

Elizabeth Gonzalez
Zoning Technician Lead
City of Coral Gables

An argument over ski masks ends with 3 men shot and an arrest, Miami cops say

BY OMAR RODRÍGUEZ ORTIZ AND DAVID J. NEAL
 orodriguezortiz@miamiherald.com
 dneal@miamiherald.com

A Wednesday shooting involving 31 shots fired and three men hit started as an argument over ski masks and a teenager boy, one of the shot men told Miami police.

That person's account is

the only one in the arrest report describing why Jesus Falu, 32, was charged with attempted murder, shooting a deadly missile and criminal mischief causing damage between \$200 and \$1,000.

The account of Falu, who was shot in the leg and allegedly waived his right to remain silent, is redacted. The third man

involved in the shooting near Northwest 12th Street and First Avenue in Over-town had been shot in the chest and was intubated, a tube in his trachea to make sure he gets oxygen, at Jackson Memorial Hospital's Ryder Trauma Center.

The report says when officers got to the area around 12:25 a.m., they found Falu under a black

Chevrolet Silverado pickup truck with his tan 9mm Sig Sauer handgun. The other two men, neither of whom is named, were nearby. One had put his black 9 mm Glock on top of a nearby car. Like Falu, he'd suffered a leg wound.

That's the man who spoke to police at the hospital and gave an account the report says is backed up by

videos from a nearby surveillance camera and city of Miami Real Time Crime Center video.

He told police he and his pal "like to wear ski masks just for fashion." They entered Arena Supermarket, 1201 NW First Pl., where Falu began criticizing them for wearing the ski masks in front of his 17-year-old son. The argu-

ment increased in intensity until Falu revealed his Sig Sauer. The two ski mask wearers left the store and began walking west on 12th Street, followed by Falu.

Falu, the report said, pulled out a gun and pointed it at the head of the unarmed ski mask wearer. The armed ski mask wearer pulled out his gun and the 9 mm bullets began flying.

David J. Neal:
 305-376-3559,
 @DavidJNeal
 Omar Rodriguez Ortiz:
 305-376-2218,
 @Omar_fromPR



PEDRO PORTAL pportal@miamiherald.com

Veteran Kenneth Heller, 78, stands in front of his house in North Miami.

FROM PAGE 11A

WISH BOOK

the living room.

"ILLUSIONS OF GRANDEUR"

Heller prefers to talk about better days, like learning to water ski in Biscayne Bay after he first moved to Florida or taking Spanish classes in Mexico as a teenager. He graduated from the University of Florida and went on to law school at Samford University in Alabama. By his own admission, Heller wasn't the most dedicated law student. Instead, he spent his time "fooling around" and "living the high life." He eventually dropped out and joined the Marine Corps in 1968 — at the height of the Vietnam War — in hopes of seeing the world.

"You've got to understand, I had illusions of grandeur," Heller said. "Besides, it was either join up or get drafted."

Heller never did go to Vietnam. He said he broke his elbow and a knee during training and was eventually discharged. He returned to Florida and went to work at a Zayre department store in Miami before eventually going back to law school in Alabama and graduating in 1975.

Heller moved around over the ensuing decade. He got married, had two children and got divorced.

He moved back to his North Miami home in 1987 to take care of his mother. A year later, in 1988, the law firm that he worked at was sold off, and he soon became his mother's full-time caregiver. She passed away in 1999.

HOLDING ONTO THE FAMILY HOME

It's been nearly 25 years since his mother passed away, and Heller is hoping to fix up his family home while dealing with a long list of health challenges. He struggles with hearing and vision deficits, as well as congestive heart failure. Getting around can also be difficult; Heller wears braces on both of his legs and uses a walker.

He has help from his friend Victoria Sanchez who stays with him at times. Sandi Dioli Kumm, who works for the North Miami Foundation for Senior Citizens' Services, stops by often. She said that Heller needs help paying to repair his roof and purchasing some small appliances, like a toaster oven.

"It's the family home. Everybody else has gone through two and three ownerships, but he's held onto it," said Kumm, who nominated Heller for Wish Book, a Miami Herald/eNuevo Herald program that raises money

from the community to help needy people identified by nonprofit agencies. "We're trying to work to rectify some of these issues that are just overwhelming for a man in his late 70s."

"He wants to stay in his home and we want to make sure he can do so safely," she said.

Heller said that he's been encouraged by some friends to sell the home, but insisted that he wants to stay put.

"I'm trying to hold onto this house," he said. "It's where I belong."

Max Greenwood:
 @KMaxGreenwood

How to help

To help this Wish Book nominee and the more than 100 other nominees who are in need this year:

To donate, use the coupon found in the newspaper or pay securely online through www.MiamiHerald.com/wishbook

For more information, call 305-376-2906 or email Wishbook@MiamiHerald.com

The most requested items are often laptops and tablets for school, furniture, and accessible vans

Read all Wish Book stories on www.MiamiHerald.com/wishbook

FROM PAGE 11A

SHARK FIN

before-and-after shots of the same injured shark.

"In the summer of 2022, 10 silky sharks were tagged with satellite tags for a separate study. Shortly after, a silky shark was spotted with its dorsal fin cut up — in the exact shape of where a satellite tag would be," Black wrote in a Dec. 14 Instagram post.

"We never expected to see the shark again. Fast forward to summer 2023 and sure enough this silky shark returned to Jupiter. He was spotted by (two photographers) who were able to capture multiple images for me of this newly healed dorsal fin."

Schellenberg and photographer John Moore both contributed their images to aid in the research, she said.

The identity of the silky shark was confirmed with the help of a National Oceanic and Atmospheric Administration (NOAA) dart tag that was present before and after the fin regenerated, she said.

Silky sharks — named for their smooth-looking

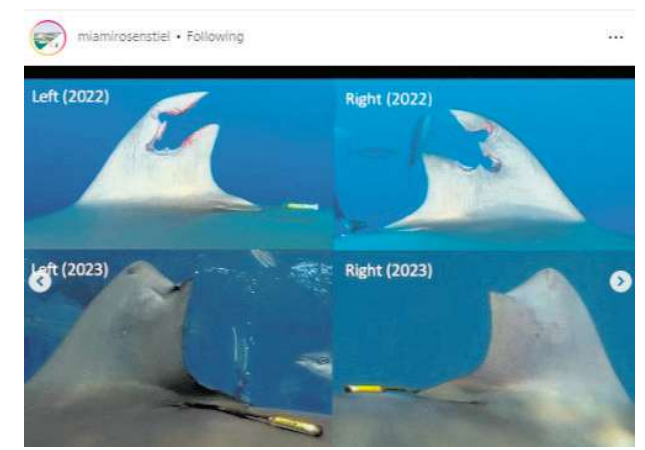
skin — are native to the Gulf of Mexico and Florida's Atlantic coast and can reach up to 10 feet in length, the Florida Museum of Natural History reports.

Their size makes silky sharks a potential threat to humans, but their "oceanic habits make contact with humans a relative rarity," the museum says. They prefer "the edges of continental shelves and over deepwater reefs," the museum notes.

"This newfound insight into tissue regeneration and wound healing underscores the importance of further research to understand how they respond to traumatic injury in the face of mounting environmental challenges," Black wrote.

"Additionally, this study exemplifies the power of collaboration between researchers and the public, including photographers and divers, to expand the scope of research studies and bridge the gap between science and society."

Mark Price: 704-358-5149,
 @markprice_obs



Instagram screengrab

A new study by a University of Miami PhD student reports a silky shark was able to regenerate much of its damaged dorsal fin.



City of Coral Gables, Florida Notice of Public Hearing HYBRID MEETING on Zoom platform

City Public Hearing Dates/Times	Local Planning Agency/Planning and Zoning Board Wednesday, January 10, 2024, 6:00 p.m.
Location	City Commission Chamber, City Hall 405 Biltmore Way, Coral Gables, FL 33134

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA)/Planning and Zoning Board (PZB) will conduct Public Hearing on the following:

- 1 A Resolution of the City Commission of Coral Gables, Florida granting conditional use approval pursuant to Zoning Code Article 14, "Process," Section 14-203, "Conditional Uses" for a walk-up counter as an accessory use to Sanguich, a restaurant, on property legally described as Track A, Plaza Coral Gables, also generally known as 111 Palermo Ave, Suite 103, Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.
- 2 Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to Appendix A "Site Specific Zoning Regulations," Section A-94 "Snapper Creek Lakes" of the City of Coral Gables Official Zoning Code to include all types of accessory uses in the rear yard ground coverage calculation, to remove outdated Section A-94-2, and to provide consistency with the Snapper Creek Lakes' protective covenants by increasing various setbacks; providing for severability, repealer, codification, and an effective date.
- 3 An Ordinance of the City Commission amending Article 9 "Art in Public Space" of the City Zoning Code in order to amend certain procedures related to the Art in Public Places waiver process and options; providing for a repealer provision, severability clause, codification, enforceability, and providing for an effective date.
- 4 An Ordinance of the City Commission amending Section 14-103.3. "Meeting; Panel Review; Full by Full Board; Conflict Resolution Meeting; Special Master Quasi-Judicial Hearing" in order to amend certain procedures related to the conflict resolution and Special Master Quasi-Judicial Process for appeals of decisions by the Board of Architects; providing for repealer provision, severability clause, codification, enforceability, and providing for an effective date.
- 5 An Ordinance of the City Commission providing for text amendments to Article 2, "Zoning Districts," Section 2-201, "Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts" and Article 3, "Uses," Section 3-209, "Live work minimum requirements," of the City of Coral Gables Official Zoning Code to allow a reduction of storefront transparency on frontages facing single-family and multi-family uses, providing for repealer provision, severability clause, codification, and providing for an effective date.
- 6 An Ordinance of the City Commission providing for text amendments to Article 15, "Notices," Section 15-102, "Notice," of the City of Coral Gables Official Zoning Code to amend requirement for the Applicants Required Public Information Meeting to occur prior to review by the Board of Architects, providing for repealer provision, severability clause, codification, and providing for an effective date.
- 7 An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code (Zoning Code), amending Article 10, "Parking and Access," Section 10-112 "Miscellaneous Parking Standards," creating provisions for considering reduction of parking requirements for affordable housing located near a major transit stop as required by the Live Local Act, Ch. 2023-17, Laws of Florida; providing for repealer provision, severability clause, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its board meeting on Wednesday, January 10, 2024, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. However, the City Commission has established the ability for the public to virtually provide sworn testimony or public comments (non-sworn and without evidentiary value). Any individual who wishes to provide sworn testimony virtually must have their video on and must be sworn in.

Members of the public may join the meeting via Zoom at (<https://zoom.us/j/83788709513>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at: (<https://coralgables.granicusideas.com/meetings>) once the meeting's agenda is published, or by sending an email to planning@coralgables.com prior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website (www.coralgables.com/cgvt) as well as Channel 77 on Comcast.



Wish Book

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 or in honor of _____

If you do not want your donation acknowledged in the paper, please check here.

Herald Charities, Inc. is a separately incorporated 501 (c) (3) charitable organization. All donations to Herald Charities, Inc. are tax deductible as allowed by law. Herald Charities, Inc. has complied with the registration requirements of Chapter 496, Florida Statutes, the Solicitations of Contributions Act. A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE 1-800-435-7352 WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE.

For more than 40 years, the Miami Herald Holiday Wish Book profiles some of South Florida's neediest individuals and families, as nominated by their social services case workers — children, the elderly, the hungry and the ailing.

Once all eligible nominees' wishes have been fulfilled, Herald Charities Inc. may use funds for other charitable purposes.

Over the years, Miami Herald readers have responded generously, helping more than 50,000 people in our community with their most pressing concerns. You can help too, by granting a special wish and making the holidays brighter for someone in need.



City of Coral Gables Public Hearing Notice

Applicant:	Laura L. Russo, Esq.
Application:	Zoning Code Text Amendment to Site Specifics
Property:	11190 Snapper Creek Road
Public Hearing - Date/Time/ Location:	PLANNING & ZONING BOARD Wednesday, January 10, 2024, 6:00 p.m. City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134 e-comments: www.CoralGables.GranicusIdeas.com/meetings

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Planning and Zoning Board will conduct a Public Hearing on **Wednesday, January 10, 2024** on the following applications at the Coral Gables City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida:

An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to Appendix A "Site Specific Zoning Regulations," Section A-94 "Snapper Creek Lakes" of the City of Coral Gables Official Zoning Code to include all types of accessory uses in the rear yard ground coverage calculation, to remove outdated Section A-94-2, and to provide consistency with the Snapper Creek Lakes' protective covenants by increasing various setbacks; providing for severability, repealer, codification, and an effective date.

An application for a Zoning Code text amendment to Section A-94 "Snapper Creek Lakes" has been submitted by Laura L. Russo, Esq. on behalf of the Snapper Creek Lakes Homeowners Association (the "Applicant") to the City of Coral Gables. The intent of the request is to include all accessory structures allowed by the Zoning Code for single-family residences in the rear yard ground coverage calculation. The Applicant also seeks to remove outdated language from the site specific provisions and be consistent with the Snapper Creek Lakes' Protective Covenants by increasing setbacks.

The application request requires review and recommendation by the Planning and Zoning Board at one (1) public hearing, and consideration by the City Commission at two (2) public hearings (Ordinance format).

Additional information may be found at www.coralgables.com. Please forward to other interested parties.

The meeting will also be via Zoom at www.zoom.us/j/83788709513. A dedicated phone line will also be available by dialing: (305) 461-6769, Meeting ID: 837 8870 9513.

Sincerely,

City of Coral Gables, Florida



Snapper Creek Lakes
Site Specifics


ZONING CODE TEXT AMENDMENT

PLANNING & ZONING BOARD
JANUARY 10, 2024



1

LOCATION



2

LAND USE AND ZONING MAPS

Future Land Use: Single-Family Low Density



Zoning: Single-Family Residential



3

APPLICANT'S REQUEST:

ZONING CODE TEXT AMENDMENT
TO SNAPPER CREEK LAKES SITE SPECIFICS

5

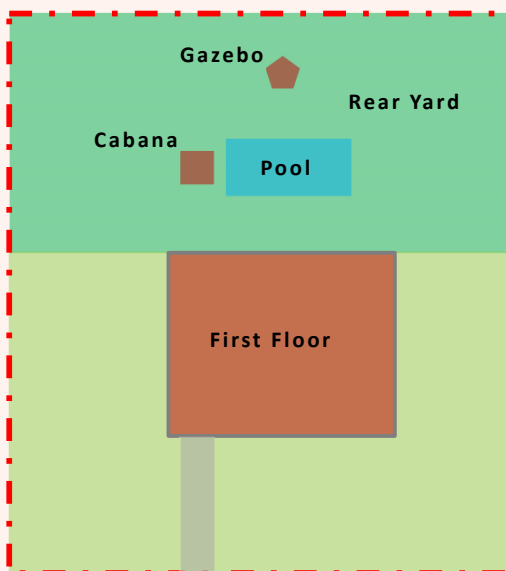
5

PROPOSED CHANGES TO SEC. A-94

- Include **all accessory uses and structures** (including pools) **within the 5% rear yard** ground coverage maximum
- Mirroring the **50' and 30' setbacks** currently enforced in the Snapper Creek Lakes Restrictive Covenants;
- **Increasing setbacks** for various accessory structures from 7'-6" to 8';
- Updating **maximum marina boat slips** to be consistent with County permit; and
- Removal of repetitive Code Section A-94-2 for Snapper Creek Lakes.

6

REAR YARD ACCESSORY USES/STRUCTURES



Include **all accessory uses and structures*** (including pools) **within the 5% rear yard** ground coverage maximum

- *Accessory use, building or structure means a use which:
- 1) is subordinate to and serves a principal use;
 - 2) is subordinate in area, extent, and purpose to the principal use served;
 - 3) contributes to the comfort, convenience or necessities of the users or occupants of the principal use; and
 - 4) is located on the same building site as the principal use.

7

REAR YARD ACCESSORY USES/STRUCTURES



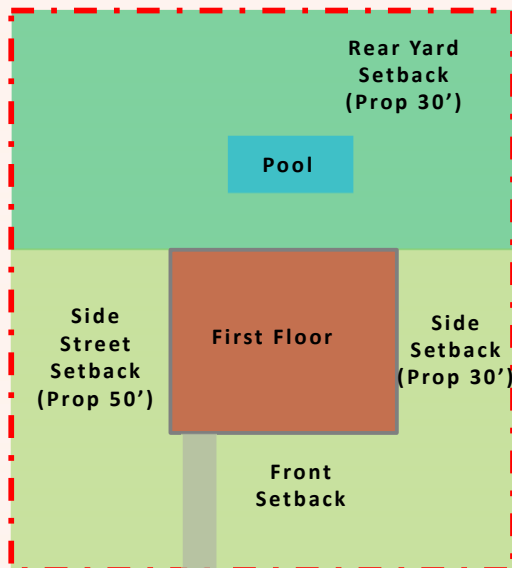
VACANT PROPERTIES

PROPERTIES BUILT
AFTER 2013

8

8

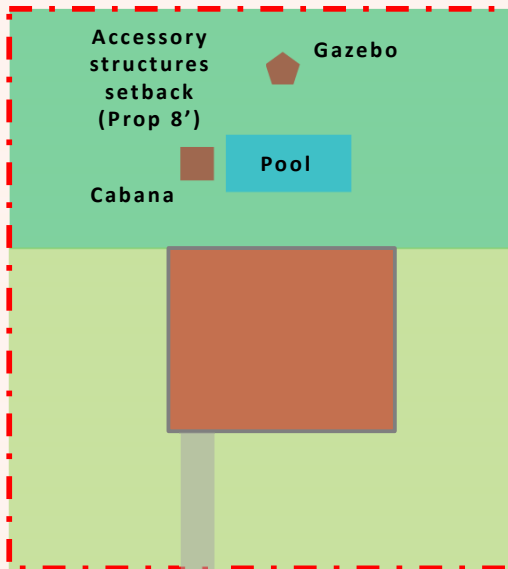
CONSISTENT SETBACKS WITH COVENANTS



Mirroring the
50' and 30' setbacks
currently enforced in the
Snapper Creek Lakes
Restrictive Covenants;

9

INCREASING ACCESSORY STRUCTURES SETBACK



Increasing setbacks for various accessory structures from 7'-6" to 8'

10

MARINA BOAT SLIPS AND CODE SEC UPDATES

Updating **maximum marina boat slips** to be consistent with County permit

- Wet marina boat slips: 35 to 36 boat slips
- Dry storage spaces: 32 to 31 spaces

Remove repetitive Sec. A-94-2 of Snapper Creek

Section A-94-2 - Snapper Creek Lakes Sub.

Refer to section A-56 Hammock Lakes for applicable site-specific requirements in addition to general code requirements.

11

PUBLIC NOTIFICATION	
2 TIMES	LETTERS TO PROPERTY OWNERS NEIGHBORHOOD MEETING, PZB
1 TIME	PROPERTY POSTING PZB
1 TIME	WEBSITE POSTING PZB
1 TIME	NEWSPAPER ADVERTISEMENT PZB

14

14

COMPREHENSIVE PLAN CONSISTENCY

STAFF’S DETERMINATION IS THAT THIS APPLICATION IS **CONSISTENT** WITH THE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES.

15

STAFF RECOMMENDATIONS

STAFF RECOMMENDATION:

STAFF RECOMMENDS APPROVAL WITH CONDITIONS.

THE APPLICATION COMPLIES WITH THE FINDINGS OF FACT.

THE STANDARDS FOR APPROVAL ARE SATISFIED,
SUBJECT TO CONDITIONS OF APPROVAL.

16

CONDITION OF APPROVAL

1. Remove proposed language regarding ground coverage for **accessory uses and structures** in subsection C of Section A-94.
2. Remove **proposed 6" increased setback** from 7'-6" to 8' of various accessory structures in subsections H, I, J, and K of Section A-94.

17

17

IMPACTED PROPERTIES

2

2



VACANT PROPERTIES

PROPERTIES BUILT
AFTER 2013

18

18



Snapper Creek Lakes Site Specifics

2

ZONING CODE TEXT AMENDMENT

PLANNING & ZONING BOARD
JANUARY 10, 2024



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