



**City of Coral Gables
CITY COMMISSION MEETING
June 14, 2016**

ITEM TITLE:

Ordinances on Second Reading. Conditional Use Review for a Building Site Determination and Zoning Code Text Amendment.

1. 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 zoned Single-Family Residential (SFR) District; one (1) building site consisting of Lots 19-21 and one (1) building site consisting of Lots 22-24 on the property legally described as Lots 19-24, Block 15, Coral Gables Section "D", Coral Gables, Florida; generally located on the east side of Red Road between County Club Prado and Valencia Avenue; including required conditions; providing for a repealer provision, providing for a severability clause, codification, and providing for an effective date.
2. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Appendix A, "Site Specific Zoning Regulations", Section A-38, "Section D" removing site specific provisions for building sites on Lots 3 through 8, inclusive, and 19 through 24, inclusive Block 15; providing for repealer provision, severability clause, codification, and providing for an effective date.

DEPARTMENT HEAD RECOMMENDATION:

Approval with conditions.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board at their 04.13.16 meeting recommended approval (vote: 6 yes – 0 no) of the Conditional Use Review for a Building Site Determination with conditions and the Zoning Code Text Amendment.

BRIEF HISTORY:

The request is for Conditional Use Review for a Building Site Determination in order to separate an existing single building site into two (2) building sites for single-family residences and includes a Zoning Code Text Amendment to remove Site Specific Regulations that apply to the property. On May 24, 2016 the City Commission approved the application for Conditional Use Review for a Building Site Determination and Zoning Code Text Amendment with conditions (vote: 5-0) on first reading. The draft Ordinances for the Building Site Determination and Zoning Code Text Amendment are provided as Exhibits A and B.

The property is located on Red Road (SW 57th Avenue) on the block immediately south of Coral Way. The request is to separate the existing 0.38 acre (16,500 square feet) building site which has 150 feet of street frontage in to two (2) building sites. The proposed building sites would be split evenly with each new building site containing 0.19 acres (8,250 square feet) with 75 feet of street frontage proposed on Red Road.

Zoning Code Site Specific Regulations exist pertaining to this property that will need to be removed in order to permit the building site separation and allow for future development of the site to occur. There is a site specific regulation tying Lots 19 through 24 together as one (1) building site. Also, there exists a site specific regulation requiring a seventy-five (75) foot front setback along Red Road for this property which only has a total depth of 110 feet. These site specific regulations are proposed to be removed in order for the development of single-family residences on this site to occur.

In 1960 this property was purchased by the owner of 2508 Country Club Prado which abuts the subject property directly to the east. The single-family residence located at 2508 Country Club Prado was constructed in 1940. When the owner attempted to sell the vacant lots fronting Red Road in 1987 they were informed at that time by the Zoning Administrator that a chain link fence that had been erected without a permit tied the Red Road and Country Club Prado properties together as one (1) building site. The property owner in 1988 requested and received approval from the City Commission to split the Red Road and Country Club Prado properties. After receiving approval the subject property on Red Road was sold in 1988. The current owner of the subject property purchased it in 2015.

The Zoning Code requires that when reviewing and providing a recommendation on an application for conditional use for a building site determination, the Planning and Zoning Division, 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 six (6) specific criteria. (Please note that this application was submitted prior to the Commission's adoption of revised criteria on April 12, 2016, hence staff's evaluation of this project is based on the previous building site standards.)

1. Staff found that the proposal satisfied four (4) of the six (6) criteria: 1) the existence of exceptional circumstances; 2) separated building sites would not result in demolished or existing structures becoming non-conforming; 3) no restrictive covenants or encroachments exist, including demolished buildings, that would prevent site separation; and, 4) neighborhood compatibility.
2. Staff found that the proposal did not satisfy two (2) of the six (6) criteria: 1) building sites created would have equal or larger building frontage than a majority of surrounding building sites; and, 4) the property was purchased by the current owner prior to September 17, 1977.

Staff's detailed evaluation of the six (6) criteria is presented in Staff's report and recommendation. Staff recommended approval since the Application satisfied four (4) of the six (6) criteria as required by the Zoning Code. The Planning and Zoning Board's recommendation for approval includes Staff's conditions which have been provided in the draft Ordinance and are as follows:

1. The new single-family residences constructed on the two (2) building sites shall meet all applicable requirements of the Zoning Code, and no variances shall be required or requested.
2. The total square footage of the two (2) residences shall be equal to or less than 6,100 square feet, which would be the maximum size of a residence permitted by the Zoning Code that could be constructed on the property if developed as a single building site.
3. Existing trees labeled as numbers 5, 14 and 31 on the Tree Disposition Plan (Sheet Number LD-1) and referenced on the Tree Removal/Relocation invoices must remain on site.

Staff's evaluation of the Zoning Code criteria for building site separation is based on the Zoning Code provisions that were in place at the time when the application was submitted for Planning and Zoning Board review. Staff also completed an evaluation of the recently approved changes to the lot split criteria and found that this application would satisfy those requirements as well.

At the May 24, 2016 meeting the City Commission directed staff to research the ground area coverage requirement and the cost and timing for lot split applications proceeding through the public hearing review process. As a condition of approval, staff is requiring that both single-family residences must comply with all Zoning Code requirements, and no variances shall be requested, including that all buildings and structures shall not occupy more than thirty-five (35%) percent of the ground area for each individual building site. Staff prepared a Cost and Timing Analysis for Lot Split Applications summarizing the fees and timetable for this application and future building site separations, provided as Exhibit C.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
05.24.16	Ordinance	Approved Conditional Use Review for a Building Site Determination with conditions (vote: 5-0) on first reading.
05.24.16	Ordinance	Approved Zoning Code text amendment (vote: 5-0) on first reading.

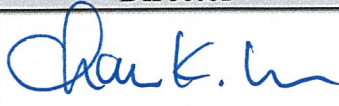
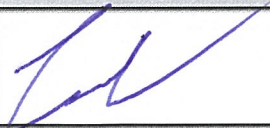

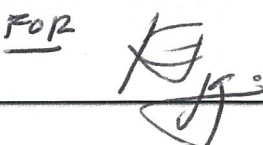
OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
04.13.16	Planning and Zoning Board	Recommended approval (vote: 6 yes – 0 no) with conditions.

PUBLIC NOTIFICATION(S):

Date	Form of Notification
04.01.16	Courtesy notification mailed to all property owners within 1,000 feet of the boundary of the subject property for Planning and Zoning Board meeting.
04.01.16	Property posted for Planning and Zoning Board meeting.
04.01.16	Legal advertisement published for Planning and Zoning Board meeting.
04.01.16	Planning and Zoning Board meeting agenda posted at City Hall.
04.08.16	Planning and Zoning Board meeting agenda, staff recommendation, legal notice and all attachments posted on City web page.
05.20.16	City Commission meeting agenda posted on City web page (1 st reading).
06.03.16	City Commission legal advertisement of Ordinance heading.
06.10.16	City Commission meeting agenda posted on City web page (2 nd reading).

APPROVED BY:

Assistant Department Director	City Attorney	Assistant City Manager	City Manager
			

EXHIBIT(S):

- A. Draft Ordinance – Conditional Use Review for a Building Site Determination.
- B. Draft Ordinance – Zoning Code Text Amendment.

C. Cost and Timing Analysis for Lot Split Applications.