

Agenda Items E-3 and E-11 are related.



City of Coral Gables CITY COMMISSION MEETING November 15, 2016

ITEM TITLE:

Ordinance on Second Reading. Conditional Use Review for a Building Site Determination. 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 separate into two (2) single-family building sites the property zoned Single-Family Residential (SFR) District and legally described as Lots 8-10 and the east 15 Feet of Lot 7, Block 25, Coral Gables Section "B" (728 Navarre Avenue), Coral Gables, Florida; one (1) building site consisting of Lot 8 and the west half of Lot 9 and one (1) building site consisting of Lot 10 and the east half of Lot 9 with the remaining east 15 feet of Lot 7 to be included as a part of the property to the west legally described as the east 25 feet of Lot 6 and Lot 7 less east 15 feet, Block 25, Coral Gables Section "B" (734 Navarre Avenue); including required conditions; providing for a repealer provision, providing for a severability clause, and providing for an effective date.

Resolution. Release of Restrictive Covenant. Resolution to allow release of Restrictive Covenant for Lots 9, 8 and East fifteen (15) feet of Lot 7, Block 25, Coral Gables Section B, 728 Navarre Avenue, recorded in Plat Book 5, Page 111 of the Public Records of Miami-Dade County, Florida.

DEPARTMENT HEAD RECOMMENDATION:

Approval with conditions.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board at their 07.13.16 meeting recommended approval (vote: 5 yes – 1 no) of the Conditional Use Review for a Building Site Determination with conditions.

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. On August 23, 2016 the City Commission approved the application for Conditional Use Review for a Building Site Determination (vote: 5-0) on first reading. The draft Ordinance for the Conditional Use Review for a Building Site Determination is provided as Exhibit A. The applicant is also requesting the release of a Restrictive Covenant dated May 4, 1987 that encumbers the property (see Exhibit B). The draft Resolution for the Release of Restrictive Covenant is provided as Exhibit C. At first reading the City Commission requested revised plans for the single-family residences which the applicant has provided and are included as Exhibit D.

The applicant is proposing to separate the existing 0.39 acre (16,875 square feet) building site located at 728 Navarre Avenue, consisting of Lots 8-10 and the east 15 Feet of Lot 7, which currently has 165 feet of street frontage into two (2) building sites with the east 15 feet of Lot 7 of the subject property to be provided to the property owner to the west. The remaining 150 foot street frontage, consisting only of Lots 8-10, of the subject property would be split evenly with each newly proposed building site containing 0.19 acres (8,437.5 square feet) with 75 feet of street frontage proposed on Navarre Avenue.

The recommended conditions which have been provided in the draft Ordinance 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 combined shall be equal to or less than 6,213 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. Parking garages, carports and/or porte-cocheres shall be set back an additional five (5) feet from the front façade of the principal structure and all garage doors facing upon any street shall be divided into single bays separated by at least an eighteen (18) inch column, if a two-car garage is proposed.
4. Prior to submittal to the Board of Architects the property owner, its successors or assigns shall file for a release of the restrictive covenants currently running with the land.
5. The east fifteen (15) feet of Lot 7, Block 25, Coral Gables Section "B", belonging to the subject property shall be deeded over to the owner of the property located at 734 Navarre Avenue (legally description: east 25 feet of Lot 6 and Lot 7 less east 15 feet, Block 25, Coral Gables Section "B") prior to the issuance of any building permits.
6. The plans depicting the site plans and elevations of the residences on the separated building sites and submitted as part of the conditional use application shall be made part of the approval, subject to conditions of approval and instructions or exceptions provided by the City Commission. Any additional changes to the plans are subject to Section 3-410 of the Zoning Code.
7. A bond shall be required, as determined by the building official, to ensure the timely removal of any non-conformities as a result of the building site separation approval.
8. Within 30 days of approval of the Conditional Use Review for a Building Site Determination, the property owner, its successors or assigns shall submit a restrictive covenant for City Attorney review and approval that includes all conditions of approval as approved by the City Commission. Failure to submit the covenant within the specified time frame shall render the approval void unless said time frame for submittal of the covenant is extended by the City Attorney after good cause as to why the time frame should be extended.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
08.23.16	Ordinance	Approved Conditional Use Review for a Building Site Determination (vote: 5-0) on first reading.

OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):


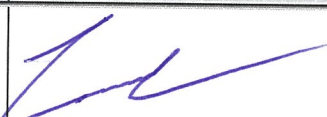

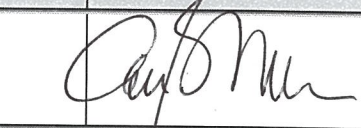
Date	Board/Committee	Comments (if any)
07.13.16	Planning and Zoning Board	Recommended approval (vote: 5-1) of the Conditional Use Review for a Building Site Determination with conditions.
10.13.16	Board of Architects	Recommended to be accepted (vote: 6-0).

PUBLIC NOTIFICATION(S):

Date	Form of Notification
07.01.16	Courtesy notification mailed to all property owners within 1,000 feet of the boundary of the subject property for Planning and Zoning Board meeting.
07.01.16	Property posted for Planning and Zoning Board meeting.
07.01.16	Legal advertisement published for Planning and Zoning Board meeting.

07.01.16	Planning and Zoning Board meeting agenda posted at City Hall.
07.08.16	Planning and Zoning Board meeting agenda, staff recommendation, legal notice and all attachments posted on City web page.
08.19.16	City Commission meeting agenda posted on City web page (1 st reading).
11.04.16	City Commission legal advertisement of Ordinance heading.
11.11.16	City Commission meeting agenda posted on City web page (2 nd reading).

APPROVED BY:

Interim Department Director	City Attorney	Assistant City Manager	City Manager
 RT			

EXHIBIT(S):

- A. Draft Ordinance - Conditional Use Review for a Building Site Determination.
- B. Letter RE: 728 Navarre Avenue/Request for Release of Restrictive Covenant dated October 27, 2016.
- C. Draft Resolution - Release of Restrictive Covenant.
- D. 728 Navarre Avenue revised plans for single-family residences.