



City of Coral Gables Planning and Zoning Staff Report

Applicant: Mario Garcia-Serra, Esq.
Application: Variance
Property: 232 Zamora Ave – BA-18-04-3738
Legal Description: Lot 1, Block 41, Douglas Section
Present Owners: 232 Zamora, LLC
Present Use: Vacant
Zoning District: Multi-Family 2 (MF2)
Public Hearing: Board of Adjustment
Date & Time: May 7, 2018; 8:00 a.m.
Location: City Commission Chambers, City Hall,
405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

Request for Variances for the property located at 232 Zamora Avenue pursuant to the provisions of Ordinance No. 2007-01 as amended and known as the "Zoning Code."

1. *Variance to reduce the minimum off-street parking setback from the front property line to allow twenty-eight (28) feet where forty (40) feet is required, pursuant to Section 4-207 of the Coral Gables Zoning Code.*
2. *Variance to reduce the setback for balconies from the front property line to allow seven (7) feet where ten (10) feet is required, pursuant to Section 4-207.F.2.a of the Coral Gables Zoning Code.*
3. *Variance to reduce the minimum buffer width for Vehicular Use Areas (VUA's) to allow three (3) feet from the rear and two (2) feet from the interior side where five (5) feet is required, pursuant to Section 5-1104.A.11 of the Coral Gables Zoning Code.*

2. BOARD OF ARCHITECTS REVIEW

Final approval on March 22, 2018.

3. ADVERTISING

This application was advertised in the Miami Daily Business Review on April 27, 2018. Letters were mailed to properties within one thousand feet of subject property and the property was posted on April 27, 2018.

4. STAFF OBSERVATION

The subject site, 232 Zamora Avenue is generally located on the southeast corner of Zamora Avenue and Salzedo Street. It has a Land Use designation of Residential Multi-Family Medium Density and currently zoned Multi-Family 2 (MF2). It is located within the recently enacted North Ponce Neighborhood Conservation Overlay (NPCO) District and has an underlying Site Specific Regulations for Douglas Section.

The lot is triangular shaped. Currently it is vacant and approximately 9,967 square feet (0.227 acres). It is primarily surrounded by residential multi-family use. The property owner, 232 Zamora LLC is proposing to construct a multi-family apartment building which will contain a total of seven (7) dwelling units. The building height is four-story at sixty-four feet to the top of the parapet. Parking will be provided on the ground floor which will be screened with active frontage and landscaping.

Due to the unusual shape of the lot, to develop the property as proposed, the Applicant is requesting three (3) dimensional Variances: 1. to reduce the minimum off-street parking setback from the front property line to allow twenty-eight (28) feet where forty (40) feet is required; 2. to reduce the setback for balconies from the front property line to allow seven (7) feet where ten (10) feet is required; and 3. to reduce the minimum buffer width for Vehicular Use Areas (VUA's) to allow three (3) feet from the rear and two (2) feet from the interior side where five (5) feet is required.

The Planning and Zoning Division staff has reviewed the application and find the above requests reasonable in order to use the irregular shaped property as proposed, a permitted use multi-family residential which is appropriate to the character of the neighborhood.

This request requires a public hearing, including review and approval by the Board of Adjustment. The Board provides relief from hardships and errors in the application of the regulations.

5. STAFF RECOMMENDATION

Pursuant to Section 3-806 Standards for Variances of the "Zoning Code," the Zoning Division staff finds as follows in regard to the applicant's proposal as presented in their application for a variance from the provision of Ordinance No. 2007—01, as amended and known as the "Zoning Code," and makes the following findings:

- 1) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.**

Does meet the standard required for authorization of variance.

The lot is an oddly-shaped lot which resembles a triangle having the shortest side at approximately 108 feet in length with a curved front line. The total site area is approximately 9,967 square feet. Due to the parcel's peculiar shape and size, designing a building while respecting all the required setback is a challenge. Each Variance requested is the minimum necessary to accommodate the proposed development and allows for reasonable use of the property.

2) That the special conditions and circumstances do not result from the actions of the applicant.

Does meet the standard required for authorization of variance.

The subject parcel is located on the southeast corner of Zamora Avenue and Salzedo Street. It was platted in 1926 as part of the Douglas Section.

In addition, the City recently enacted the North Ponce Neighborhood Conservation Overlay in which the subject site is located. The overlay requires buildings in smaller parcels (less than 20,000 square feet) to be set back ten (10) feet including balconies, and off-street parking shall be set back a minimum of forty (40) feet from the front property line. The underlying Zoning Regulations also require Vehicular Use Areas (VUA's) to have a minimum of five (5) feet buffer width from property lines.

The lot configuration exists prior to the new regulations. Therefore, site conditions are not created by the actions of the Applicant.

3) That granting the variances requested will not confer on the applicant a special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.

Does meet the standard required for authorization of variance.

Considering the unique shape of the land, granting the Variances requested will not confer on the Applicant a special privilege but an opportunity to redevelop the site with a permitted use in a manner similar to the existing development pattern of the neighborhood.

4) The literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations, and would work unnecessary and undue hardship on the applicant (see also definition of “necessary hardship”).

Does meet the standard required for authorization of variance.

Due to its irregular shape, literal interpretation of the provisions to the subject site would deprive the Applicant of rights enjoyed by other properties in the area with identical zone classification.

5) That the variance granted is the minimum variance that will make possible the reasonable use of land, building or structure.

Does meet the standard required for authorization of variance.

The building is setback ten (10) feet from the front line which meets the requirement but the balcony located over the driveway from the second floor and above is setback seven (7) feet from the front property line. The length of that portion of the balcony encroaching into the front setback is only approximately twenty-four (24) feet of the building's curvilinear frontage. The intent of setback requirement is to provide landscaped front yards to be compatible with adjacent

garden apartment buildings. The proposed building meets landscape requirements with balcony encroachments, compatible with the existing development pattern in the neighborhood.

The new North Ponce Neighborhood Conservation Overlay requires off-street parking to be set back a minimum of forty (40) feet from the front property line. Again, due to the shape of the lot being triangular, it makes it difficult to fit standardized rectangular parking spaces into the site. Variances requested are the minimum variance that will make it possible to provide the required parking requirements and circulation. The parking area is located on the ground floor, behind the building, screened from view with ground floor residential unit and landscaping.

- 6) That granting the variance will not change the use to one that is not permitted in the zoning district or different from other land in the same district.**

Does meet the standard required for authorization of variance.

The proposed development is a permitted use, a multi-family apartment building which will contain a total of seven (7) dwelling units. Granting the variances requested will not change the use to one that is not permitted in the zoning district.

- 7) That the granting of the variance will be in harmony with the general intent and purpose of these regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.**

Does meet the standard required for authorization of variance.

The site is currently vacant. Development of this site will increase the value of the surrounding properties not only economically, but also aesthetically which is consistent with the intent of the North Ponce Conservation Overlay (NPCO) District. The intent of the NPCO is to encourage the redevelopment of the garden apartment neighborhood with compatible buildings with landscaped front yards, habitable doors, windows, and elements that face the street to resemble neighboring historic types. Therefore, the Variances requested will not be injurious to the area involved or otherwise detrimental to the public welfare.

- 8) The granting of the variance is appropriate for the continued preservation of an historic landmark or historic landmark district.**

Does meet the standard required for authorization of variance.

The property is not a historic landmark or in a historic landmark district.

The Planning and Zoning Division staff recommends **APPROVAL** of Items No. 1, 2, and 3.


6. ATTACHMENTS

- A. Applicant's submittal package.
- B. Property Appraiser Summary Report.

- C. 04.27.18 Legal advertisement published.
- D. 04.27.18 Courtesy notice mailed to all property owners within 1,000 feet.

Please visit the City website at 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 and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134.

Respectfully submitted,



Ramon Trias
Assistant Director of Development Services
for Planning and Zoning
City of Coral Gables, Florida