



City of Coral Gables Planning and Zoning Staff Report

Applicant: Glen Larson/Dock and Marine Construction
Application: Variance
Property: 6847 Granada Boulevard – BA-19-09-3724
Legal Description: Block 257, Riviera Section Part 11, Miller Track 1
Present Owners: John Bolduc / City National Bank of Florida TRS Trust Department
Present Use: Single-Family Residential
Zoning District: Single-Family Residential (SFR)
Public Hearing: Board of Adjustment
Date & Time: October 7, 2019; 8:00 a.m.
Location: City Commission Chambers, City Hall,
405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

Request for a Variance for the property located at 6847 Granada Boulevard pursuant to the provisions of Ordinance No. 2007-01 as amended and known as the "Zoning Code."

Variance to allow two (2) watercraft lifts on a single-family dwelling with less than two hundred (200) feet of waterfront lot width vs. one (1) set of davits, watercraft lift or floating watercraft lift may be permitted for each single-family dwelling or duplex; and, on properties with two hundred (200) feet or more of waterfront lot width one (1) additional set of davits may be permitted for each single-family dwelling or duplex, pursuant to Section 5-805(D)(1)(2) of the Zoning Code.

2. BOARD OF ARCHITECTS REVIEW

No permit application submitted for the Board of Architects or for the Zoning Division prior to this Variance application.

3. ADVERTISING

This application was advertised in the Miami Daily Business Review on September 27, 2019. Letters were mailed to properties within one thousand feet of subject property and the property was posted on September 24, 2019.

4. STAFF OBSERVATION

The subject property, 6847 Granada Boulevard, is located within the Riviera Section Part 11 of Coral Gables. As shown on the aerial view provided by the Applicant, there is an existing single-family home, a dock, and a 4-post boat lift on the subject property. The property owner also owns the adjacent property on the east side, 6857 Granada Boulevard. As shown on the aerial view there is an existing dock, a boat garage and a watercraft lift on that property.

The Applicant is requesting a Variance for a second watercraft lift. The request includes a jet ski elevator lift in a single-family property with less than 200 feet of waterfront.

Section 5-805.D. of the Zoning Code currently regulates davits, watercraft lifts and floating watercraft lifts. City Attorney's legal interpretation, provided as Attachment E, clarifies the total number of allowed structures in single family dwelling or duplex, to have one of each type: one set of davits, a watercraft lift and a floating watercraft lift, with a total of three structures no matter the waterfront frontage. On properties with two hundred feet or more of waterfront, an additional set of davits, for a total number of four structures allowed.

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 length of waterfront is 193 feet when 200 feet are required. The location and the shape of the property allow a clear distance separation from the opposing bank of 103 feet, including the proposed lift, when 75 feet is the minimum distance requirement. Those are special conditions to be considered in order to recommend approval for the additional lift.

- 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.

Special conditions are not a result of actions of the applicant. The legal interpretation of The Zoning Code allows for three different methods to raise a vessel. This owner would like to waive the right of one of the three different options so that he may have two of the same type.

- 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.

The variance will not allow the applicant any privilege that is denied by these regulations. Single family properties are allowed to have three water lift structures. The applicant is requesting to waive the right for a floating lift so he may have another type of lift.

- 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.

The literal interpretation of the provision of these regulations would deprive the applicant of rights commonly enjoyed by other adjacent properties in the same zoning district under the terms of these regulations and would work unnecessary and undue hardship on the applicant.

- 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.

Granting the variance is the minimum variance that will make possible reasonable access to the water, similar to what the adjacent properties enjoy.

- 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.

Granting the variance will not change the use of the property.

- 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 granting of the variance will be in harmony with the general intent and purpose of these regulations. (see aerial views provided in Attachment A).

- 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 WITH CONDITIONS** of the request.

CONDITIONS:

1. Proposed lift is for jet ski or similar small vessel.
2. No additional lift structures will be allowed in this property.
3. The maximum projection for the proposed lift will be ten feet from the dock.
4. All the remaining requirements of Section 5-805 should be satisfied

6. ATTACHMENTS

- A. Applicant's submittal package.
- B. 09.24.19 Courtesy notice mailed to all property owners within 1,000 feet.
- C. 09.27.19 Legal advertisement published.
- D. PowerPoint Presentation.
- E. Legal Interpretation CAO 2013-051 of Section 5-805.

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