



## City of Coral Gables Planning and Zoning Staff Report

Applicant: Glen Larson  
Application: Variance  
Property: 9501 Journeys End Ln – BA-21-01-5875  
Legal Description: Lot 7, Block 1, Journeys End Estates  
Present Owners: Anthony M. Lopez  
Present Use: Single-Family Residential  
Zoning District: Single-Family Residential (SFR)  
Public Hearing: Board of Adjustment  
  
**Date & Time: February 1, 2021; 9:00 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 9501 Journeys End Lane pursuant to the provisions of Ordinance No. 2007-01 as amended and known as the "Zoning Code."

*Variance to allow a wood dock for a single-family residence to extend into the waterway thirty-five feet and six inches (35'-6") from the property line vs. no docks shall be constructed over or in any canal, waterway, lake or bay more than five (5) feet outward from the bank or seawall, whichever is most restrictive, pursuant to Article 3, "Uses", Section 3-702.A [formerly Section 5-802.A] of the Coral Gables Zoning Code.*

### 2. BOARD OF ARCHITECTS REVIEW

Permit Application AB-19-10-5213. Final approval on June 18, 2020.

### 3. ADVERTISING

This application was advertised in the Miami Daily Business Review on January 21, 2021. Letters were mailed to properties within one thousand feet of subject property and the property was posted on January 20, 2021.

### 4. STAFF OBSERVATION

The property currently has a single-family home and a dock with a boat lift on the north side. The dock and boat lift were approved by a variance on May 5, 2009, by the Board of Adjustment (Reference number 4941-ZB).

The existing dock use is restricted because of the location inside the basin, the neighbor's dock and the presence of mangroves. The dock will remain to be used for smaller vessels.

There are dense mangrove trees along the meandering shoreline of the property and extend past 20 feet from the shoreline. The applicant is requesting a Variance for a proposed boat dock that will extend into the waterway thirty-five feet and six inches (35'-6") from the property line. Per Section 3-702.A [formerly Section 5-802.A] of the Coral Gables Zoning Code, *no dock, wharf or similar structure shall be constructed over or in any canal, waterway, lake or bay more than five (5) feet outward from the bank or seawall, whichever is most restrictive, except as described for specific properties and the Mahi Canal in Appendix A.*

The Applicant provided the approval from Miami Dade county (DERM), and copies of the letters of consent for the two abutting properties, located at 9475 and 9595 Journeys End Lane, both properties have presence of dense mangrove trees and are likewise in support of this Application and the proposed location of the boat dock projection.

All other improvements on the property shall meet all applicable zoning code requirements.

## 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.

*There are existing mangroves along the meandering shoreline of the property, the mangroves extend past the shoreline 20'. The presence of these mangroves prevents the dock from being located closer to the shoreline and Miami Dade County RER (formerly DERM) will not allow any trimming.*

- 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.

*These conditions are not a result of any actions of the applicant, they are circumstances that have arisen due to the presence of mangroves, a protected plant along the shoreline of their property.*

- 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 to the*

*other lands, buildings or structures in the same zoning district. It is for the purpose of docking a boat, a privilege that is enjoyed by all of neighbors.*

- 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 by not being able to access to the water through the property.*

- 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 the reasonable use of the residence, and provide 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 single-family to one that is not permitted in the zoning district or different from other land in the same 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 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. It will not protrude into any waterway farther than any structure falling within the line of adjacent shorelines.*

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

Not applicable.

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

The Planning and Zoning Division staff recommend **APPROVAL**.

## 6. ATTACHMENTS

- A. Applicant's submittal package.
- B. Legal advertisement published.
- C. Courtesy notice mailed to all property owners within 1,000 feet.
- D. PowerPoint Presentation.

Please visit the City website at [www.coralgables.com](http://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, Ph.D. AIA AICP LEED AP  
Assistant Director of Development Services  
for Planning and Zoning  
City of Coral Gables, Florida