

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

Planning Board

TO: Chairperson and Members
Planning Board

DATE: May 24, 2016

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **File No. 2326. 5350, 5370 and 5380 North Bay Road – SFR Lot Split/Subdivision of Land**

The applicants, Rex and Carolyn Runzheimer are requesting a Division of Land/Lot Split, pursuant to Chapter 118, Article VII of the City Code, to divide the existing site comprised of two platted lots (5370 and 5380 North Bay Road), into two individual buildable parcels and unify parcels 5350 and 5370 North Bay Road into one site.

RECOMMENDATION:

Approval with conditions

EXISTING STRUCTURES/SITE:

The subject application includes two separate lots, 5380 and 5370 North Bay Road that were joined in 2014 through DRB File No. 23105. According to the Miami-Dade County Property Appraiser, 5380 North Bay Road contains: 12,759 square feet with an existing 6,432 square foot single family home constructed in 1934. 5370 North Bay Road is vacant, 12,759 square foot lot, which serves as a landscape area for 5380 North Bay Road.

5350 North Bay Road contains 12,680 square foot with an existing 4,431 square foot single family home constructed in 1934 that is proposed to be demolished. This parcel and 5370 North Bay Road are proposed to be joined to develop a new single family home which will be the subject of a Design Review Board Application schedule for June 07, 2016.

ZONING / SITE DATA:

Legal Description: 5380 and 5370 North Bay Road:

Lot 8 and 9, Block 14, La Gorce Golf Subdivision, according to the Plat thereof as recorded in Plat Book 14, page 43, of the Public Record of Miami-Dade County, Florida.

5350 North Bay Road:

Lot 10, Block 14, La Gorce Golf Subdivision, according to the Plat thereof as recorded in Plat Book 14, page 43, of the Public Record of Miami-Dade County, Florida.

Zoning: RS-3 Single-Family Residential District

Future Land Use: Single Family Residential Category (RS)

Lot Size: 25,555 Square Feet for the Combined Site

REVIEW CRITERIA:

Pursuant to Section 118-321(b), in reviewing an application for the division of lot and lot split, the Planning Board shall apply the following criteria:

1. **Whether the lots that would be created are divided in such a manner that they are in compliance with the regulations of these land development regulations.**

Consistent– The minimum lot size and lot width requirements for RS-3 Zoning district are 10,000 square feet lot size and 60 feet lot width. According to the Miami-Dade County Property Appraiser each lot is 12,759 square feet in area with a lot width of 79 feet which exceeds the minimum requirements.

2. **Whether the building site that would be created would be equal to or larger than the majority of the existing building sites, or the most common existing lot size, and of the same character as the surrounding area.**

Consistent–The RS-3 zoning district in the surrounding area specifically the waterfront lots consists primarily of lots that are roughly 12,800 square feet as originally platted, the proposed lot split of 5380 and 5370 North Bay Road will provide the original configuration of the lots, and the unification of 5350 and 5370 North Bay Road lots will preserve the status quo of the lot sizes in this area.

3. **Whether the scale of any proposed new construction is compatible with the as-built character of the surrounding area, or creates adverse impacts on the surrounding area; and if so, how the adverse impacts will be mitigated. To determine whether this criterion is satisfied, the applicant shall submit massing and scale studies reflecting structures and uses that would be permitted under the land development regulations as a result of the proposed lot split, even if the applicant presently has no specific plans for construction.**

Consistent– No adverse impacts are expected to be created by the lot split between 5380 and 5370 North Bay Road. The proposed unification for 5370 and 5350 North Bay road will not create an adverse impact to the surrounding areas.

4. **Whether the building site that would be created would result in existing structures becoming nonconforming as they relate to setbacks and other applicable regulations of these land development regulations, and how the resulting nonconformities will be mitigated.**

Consistent–The Applicant proposes to retain the existing, recently renovated pre 1942 single family home. The property will return to its originally platted condition prior to the 2014 unification. Although this structure will be non-conforming with respect to side

setbacks and sum of sides, it was nonconforming at the time of unification. 5380 North Bay Road will be nonconforming in the following:

- Side 1: 4.2' provided – 10' required.
- Side 2: 5.1' provided – 10' required.
- Sum of required yards: 9.3' provided – 20'-0" or 25% of lot width (79.25') required.

5. Whether the building site that would be created would be free of encroachments from abutting buildable sites.

Consistent–The building sites created would be free of encroachments from abutting buildable sites.

6. Whether the proposed lot split adversely affects architecturally significant or historic homes, and if so, how the adverse effects will be mitigated. The Board shall have the authority to require the full or partial retention of structures constructed prior to 1942 and determined by the Planning Director or designee to be architecturally significant under section 142-108 (2).

Not Consistent– Although the architecturally significant 1934 single family home located on 5380 North Bay Road is proposed to be retained, the existing home constructed on 1934 located at 5350 North Bay road, is proposed to be demolished.

ANALYSIS:

The subject property consists of a single owner (the applicant) who proposes to divide the subject property into two (2) separate parcels. An Opinion of Title was submitted in conformance with the requirements of the City Code. Although this is an application for a lot split because one of the lots will be joined to the abutting lot to the south and will be developed as one site, the number of single family homes will not increase in the neighborhood. Because of this, as well as the fact that the architecturally significant home constructed in 1934 and located at 5780 North Bay Road will be retained and restored, staff is supportive of the application.

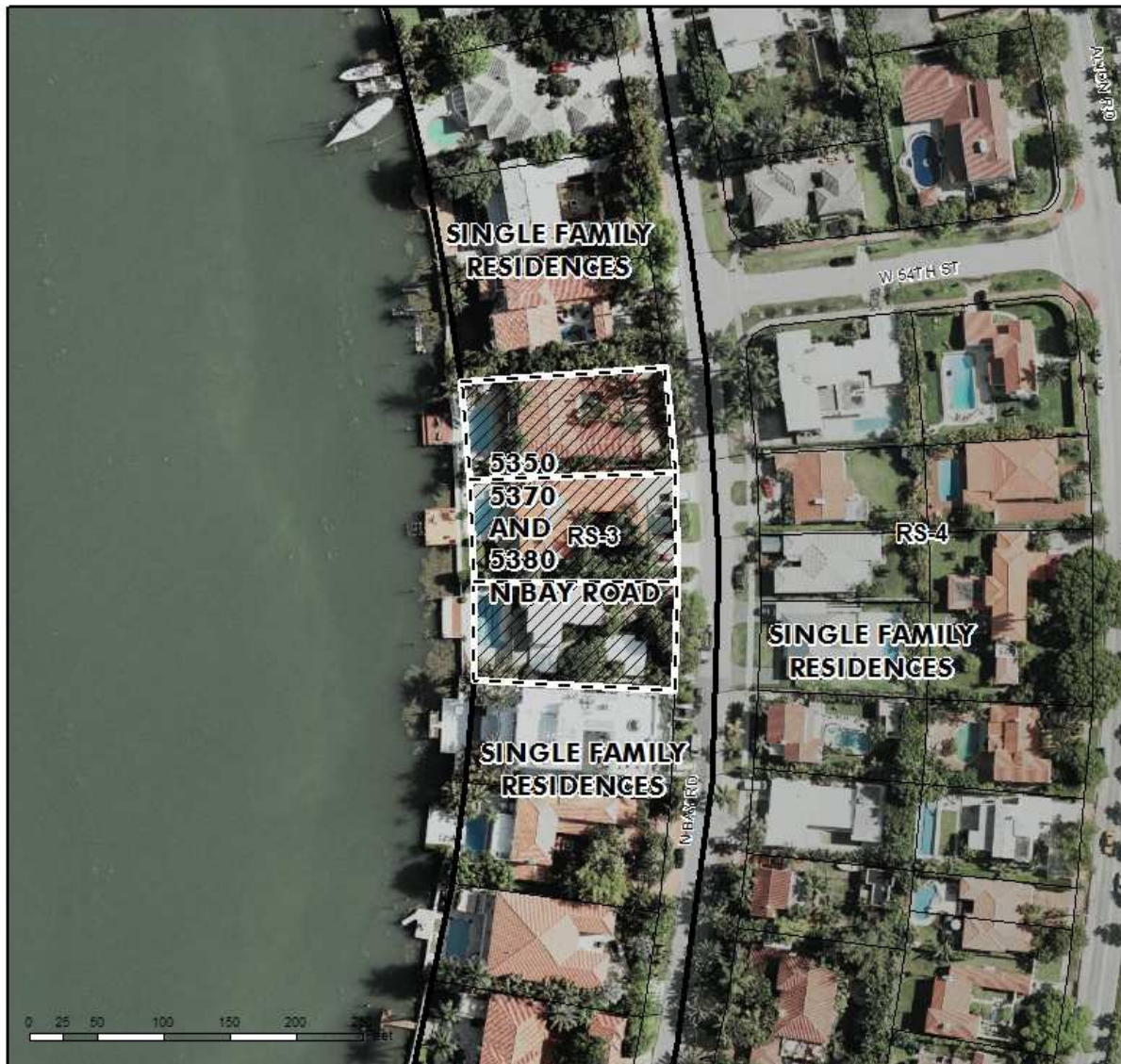
The RS-3 residential single-family zoning district requires a minimum lot area of 10,000 square feet and a minimum lot width of 60 feet. The proposed parcels meet these requirements.

STAFF RECOMMENDATION:

In view of the foregoing analysis, staff recommends that the application be approved subject to the conditions enumerated in the attached Draft Order.

TRM/MAB/AG

ZONING/SITE PLAN



City of Miami Beach Planning Board
File No. 2326
5350, 5370 and 5380 N. BAY ROAD



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1700 CONVENTION CENTER DRIVE MIAMI BEACH, FLORIDA 33139 P 305.673.7550 www.miamibeachfl.gov

