

TOWN OF MIAMI LAKES, FLORIDA

Town Council

Mayor Wayne Slaton

Vice Mayor Roberto Alonso

Councilmember Mary Collins

Councilmember Robert Meador, II

Councilmember Michael Pizzi

Councilmember Nancy Simon

Councilmember Peter Thomson

AGENDA

LOCAL PLANNING AGENCY MEETING

April 8, 2003

7:00 p.m.

Miami Lakes Middle School

6425 Miami Lakeway North

Miami Lakes, Florida 33014

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC HEARING ON THE PROPOSED REZONING ORDINANCE FOR GUTIERREZ PROPERTY.

AN ORDINANCE OF THE TOWN OF MIAMI LAKES, FLORIDA PROVIDING RECITALS; PROVIDING FINDINGS; GRANTING THE REQUEST FOR A REZONING FROM AU TO RU-1 ON A 0.69± ACRE PARCEL LOCATED AT 16910 NW 77TH COURT, JUST SOUTH OF NW 170TH STREET AND WEST OF NW 77TH COURT, AT THE EASTERN TERMINUS OF NW 169TH TERRACE; APPROVING THE SITE PLAN FOR A PHASED RESIDENTIAL DEVELOPMENT OF TWO (2) SINGLE-FAMILY HOMES; PROVIDING FOR CONDITIONS; PROVIDING FOR RECORDING; PROVIDING FOR SEVERABILITY; PROVIDING FOR EXCLUSION FROM THE CODE AND PROVIDING FOR AN EFFECTIVE DATE

4. ADJOURNMENT

This meeting is open to the public. A copy of this Agenda and the backup therefore, has been posted on the Town of Miami Lakes Website at townofmiamilakes.com and is available at Town Hall, 6853 Main Street. In accordance with the Americans with Disabilities Act of 1990, all persons who are disabled and who need special accommodations to participate in this meeting because of that disability should contact Town Hall at (305) 364-6100.

Anyone wishing to appeal any decision made by the Miami Lakes Town Council with respect to any matter considered at this meeting or hearing will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

Any member of the public wishing to speak on a public hearing matter on this Agenda or under public comments for items not on this Agenda, should fill out a speaker card and provide it to the Town Clerk, prior to commencement of the meeting. Any person presenting documents to the Town Council should provide the Town Clerk with a minimum of 12 copies.

A. MIAMI LAKES
**B. LOCAL PLANNING AGENCY &
TOWN COUNCIL**
c. Staff Report

Date Prepared: April 1, 2003
Meeting Date: April 8, 2003

- d.
e. **First Reading of Petition: Z-02-03**
f. **Gutierrez Property Rezoning & Site Plan Approval**

EXECUTIVE SUMMARY

Applicant Request:

- 1.) Rezone property to RU-1 (Single-Family Residential 7,500 Square Feet Net).
- 2.) Non-use variance lot frontage of 25 feet (75 feet required) for both phases.

Petition Facts:

- 0.69-acre site located at 16910 NW 77th Court (location map next page).
- Current Land Use = Low Density Residential (LD).
- Current Zoning = Agricultural (AU).
- The requested zoning is consistent with the Comprehensive Plan & Future Land Use Map.
- Level of service standards for traffic, mass transit, potable water, sanitary sewer, solid waste, flood protection, and recreation open space are maintained.

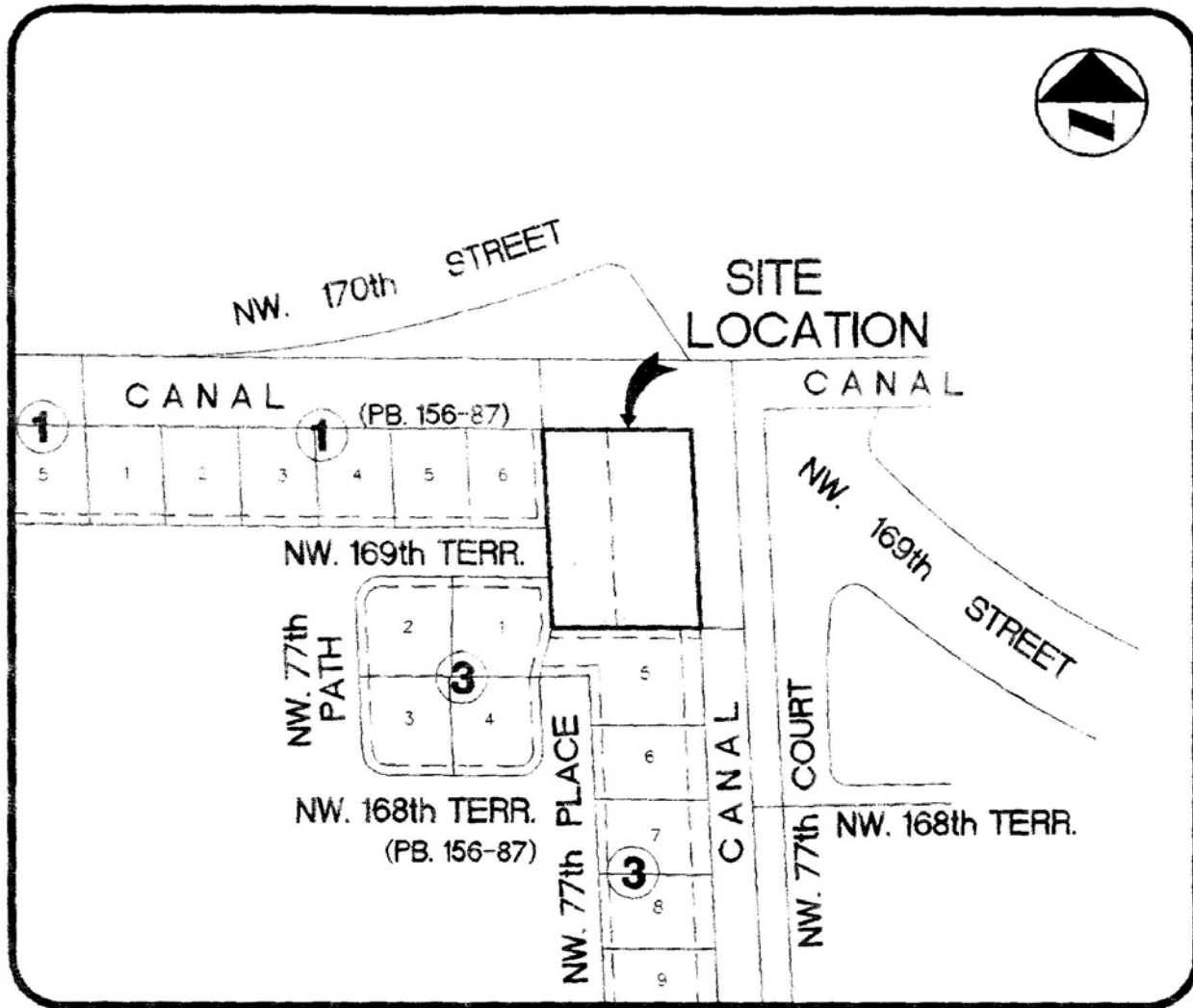
Site Plan (plans attached):

- 2 single-family homes proposed.
- 2 phases proposed (2nd home to be constructed at a later date).
- Phase 1 (first home):
 - ◆ Northern 0.43 acres of site.
 - ◆ 6,023 square-foot single-story home.
 - ◆ Multi-hipped roof, with clay barrel tiles.
 - ◆ 320-foot gazebo and pool.
- ◆ Landscaped, including Live Oaks.

Staff Recommendation:

- 1.) Approval of rezoning to RU-1.
Reason: Consistency with Comprehensive Plan and with area zoning pattern.
- 2.) Approval of lot frontage variance for both phases.
Reason: Unique site configuration; does not negatively impact neighboring lots; total lot sizes far exceed minimum lot criterion of 7,500 square feet.

LOCATION MAP



AERIAL PHOTOGRAPH



SUBJECT/AGENDA ITEM

Petition: Z-02-03 Gutierrez Property – Rezoning & Site Plan Approval

First Reading: A request by Javier L. Vazquez, on behalf of Marcos Gutierrez, for rezoning and site plan approval of two (2) single-family homes on a 0.69-acre parcel located at 16910 NW 77th Court, just south of NW 170th Street and west of NW 77th Court. The applicant (Mr. Marcos Gutierrez) has requested to rezone the site from AU (Agricultural) to RU-1 (Single Family Residential 7,500 square feet net).

BACKGROUND

The Gutierrez Property was formerly owned by Abo Investment Corporation. The site was previously used as a plant nursery. The site is now vacant, except for a dilapidated single-family home that will be demolished when the site is eventually cleared. The site was previously accessed from NW 77th Court; however, because of limited site visibility this access will be closed with the approval of this petition. In the future, the site will be accessed from NW 169th Terrace.

LAND USE & ZONING

The subject site has a future land-use designation of Low Density Residential (LD). The site is currently zoned Agricultural – Residential 5 Acres Gross (AU). The applicant is requesting to rezone the site to Single-Family Residential 7,500 square feet net (RU-1), which is consistent with the future land-use designation.

LEVEL OF SERVICE (LOS) STANDARDS

Table 1: Level of Service (LOS) Standards		
Infrastructure Type	LOS Standard	LOS Standards Maintained?
Traffic	LOS B – D	Yes (see Table 2)
Mass Transit	60 minute headways & average route spacing of one mile	Yes
Potable Water	200 gallons per capita per day	Yes
Sanitary Sewer	100 gallons of sewage per capita per day	Yes
Solid Waste	7 pounds per capita per day	Yes
Flood Protection	Protection from 5 year storm event	Yes
Rec. Open Space	5 acres per 1,000 residents	Yes

The proposed development of two single-family homes on 0.69 acres does not create a significant impact in terms of the level of service (LOS) standards; therefore the LOS standards for traffic, mass transit, potable water, sanitary sewer, solid waste, flood protection, and recreation open space are maintained. However, traffic in Miami Lakes is always a concern, therefore the LOS standards for traffic relating to this petition were reviewed based on traffic count information obtained from Miami-Dade County. Based on the current ITE Manual, a detached single-family home generates an average of 9.57 daily trips, and 1.01 trips at the PM peak hour; therefore, two single-family homes would generate 19.14 daily trips and 2.02 PM peak hour trips.

There are four County Traffic Count Stations located in the general area of the proposed development. Table 2 summarizes the count information from these count stations. The closest count station is located along NW 170th Street between NW 87th Avenue and NW 77th Avenue; based on count information gathered in July 2002, there are 424 peak hour trips available along this section of roadway. The second closest count station is located along NW 169th Street between NW 77th Court and NW 67th Avenue; based on count information gathered in July 2002, there are 2,332 peak hour trips available along this section of roadway. The third closest count station is located along NW 154th Street between NW 79 Avenue and NW 84th Avenue; based on count information gathered in October 2002, there are 1,392 peak hour trips available along this section of roadway. The furthest of the four closest count stations is located along NW 154 Street between NW 87th Avenue and NW 92nd Avenue; based on count information gathered in July 2002, there are 454 peak hour trips available along this section of roadway. Therefore, the 2.02 peak hour trips that the proposed development will generate will not cause the neighboring roadways to exceed their capacity.

Table 2: Traffic Concurrency

Station #	g. h. Roadway i. Segment	Date of Count		Available Peak Hour Trips	Peak Hour Trips Created by Petition
9552	NW 170 th ST-NW 87 th Av to NW 77 th Av	July 2002	C	424	2.02
9550	NW 169 th ST-NW 77 th Ct to NW 67 th Av	July 2002	B	2,332	2.02
9544	NW 154 th ST-NW 79 th Av to NW 84 th Av	Oct. 2002	D	1,392	2.02
9546	NW 154 th ST-NW 87 th Av to NW 92 nd Av	July 2002	D	454	2.02

PROJECT DETAILS

Phasing:

The applicant is requesting to phase the development of the site. The first phase of the site will occur on the northern 0.43 acres, while the second phase will be done on the southern 0.26 acres. It is anticipated that the first phase will begin construction immediately after approval, while the second phase will be constructed at a later date. Some improvements will occur in the area of the second phase, including an entrance feature with pavers, a Florida Royal Palm (14 feet at planting), a 6-foot high chain link fence with masonry columns, an 18-inch weeping fig hedge along the fence, and sod (St. Augustine Grass) over the remaining area of the site.

Access to Site:

The previous access point to the site from NW 77th Court will be closed because of the limited site visibility, and the proposed future access to the site will be from NW 169th Terrace.

Phase 1:

Attached to this report are the proposed site/landscape plan, floor plan, and building elevations for Phase 1. A 6,023 square-foot single-story home is proposed for the first phase. A 320-foot gazebo and swimming pool with spa are also proposed in the southeast corner of the phase. The driveway will be constructed of interlocking pavers. The home will have seven (7) bedrooms, 4 ½ bathrooms, 674 square feet of covered patio, and a 710 square-foot 3-car garage. The house has a multi-hipped roof, with clay barrel tiles. The walls are concrete block, with a stucco finish. The house will also have curved entryways with columns, curved and rectangular windows, and decorative wall-mounted lighting. The proposed home “blends” well with the adjacent and nearby homes.

Along the property line of the first phase, there will be a 6-foot high chain link fence with masonry columns, and an 18-inch weeping fig hedge. The landscaping on the first phase shall also include two (2) Live Oaks (10 – 12 feet at planting), a Florida Royal Palm (14 feet at planting), two (2) Silver Trumpets (10 feet at planting), two (2) triple clusters of Pigmy Date Palms (3 feet at planting), wart fern, Philodendron, Cocoplum, Ixora, Big Blue Licyturf, Star Jasmine, Egyptian Star Flower, and Society Garlic.

Code Compliance:

Table 3 details how the proposed plan complies with the Town of Miami Lakes’ Code (proposed plan refers to Phase 1 unless otherwise stated). As can be seen from the table, the proposed development meets all code requirements except for the minimum lot frontage requirement of 75 feet. This requirement means that both lots would have to have at least 75 feet each of frontage along a public road right-of-way. However, the site is almost entirely bordered by canal right-of-way and neighboring properties, and only 50 feet of public road right-of-way frontage exists at the eastern terminus of NW 169th Terrace; therefore, each lot can only provide 25 feet of frontage. Staff supports this variance request because of the unique configuration of the site, the minimum lot sizes will still be maintained or exceeded, and the smaller frontages will not adversely impact adjacent or nearby properties.

It should also be noted that the proposed home has approximately a two-foot roof overhang that partially encroaches into the front and rear setback for the building. Furthermore, the gazebo has approximately a two-foot roof overhang that encroaches into the side setback. The roof overhangs for both structures also encroach into the ten-foot building separation.

The standard practice by Miami-Dade County has been not to include roof overhangs when determining building setbacks and separations. This policy was developed and written into a memorandum in the mid-1970’s by the Director of Planning and Zoning at that time. The Town of Miami Lakes in a letter written by the Town’s Zoning Official has also adopted this policy; however, this practice will be addressed in the re-write of the Town’s Code that is now underway.

**Table 3:
Code Compliance for RU-1 Zoning**

Code Requirement	Proposed Plan	k.
Max. Front Setback for Home: 50 feet	25 feet	Yes
Min. Building Site Area: 7,500 square feet net	18,755 sqft (Phase 1) 11,287 sqft (Phase 2)	Yes
Min. Lot Width: 75 feet	125 feet (Phase 1) 75.2 feet (Phase 2)	Yes
Max. Lot Coverage: 35%	33.9%	Yes
Min. Lot Frontage: 75 feet	25 feet (Phase 1) 25 feet (Phase 2)	No
Min. Front Setback for Home: 25 feet	25 feet	Yes
Min. Side Setback for Home: 7.5 feet	10.5 feet	Yes
Min. Rear Setback for Home: 25 feet	25 feet	Yes
Min. Front Setback for Accessory Building: 75 feet	106.75 feet	Yes
Min. Side Setback for Accessory Building: 7.5 feet	7.75 feet	Yes
Min. Rear Setback for Accessory Building: 5 feet	18 feet	Yes
Min. Distance Between Buildings: 10 feet	10.5 feet	Yes
Max. Height of Buildings: 35 feet/2 stories	24 feet/1 story	Yes

Staff recommends approval of Petition Z-02-03 on first reading with the following conditions:

- 1. Phase 2 of development shall be constructed using similar architectural features utilized in Phase 1 and the surrounding development, including similar materials and colors. The applicant, successors or assigns shall notify (in writing) any purchaser of this requirement.**
- 2. The applicant, successors or assigns shall comply with all platting requirements of Chapter 28 of the Miami-Dade County Code.**
- 3. Site plan approval for this petition (Z-02-03) is contingent upon approval of the non-use variance permitting 25-foot lot frontages when the Town's Code requires 75-foot lot frontages.**

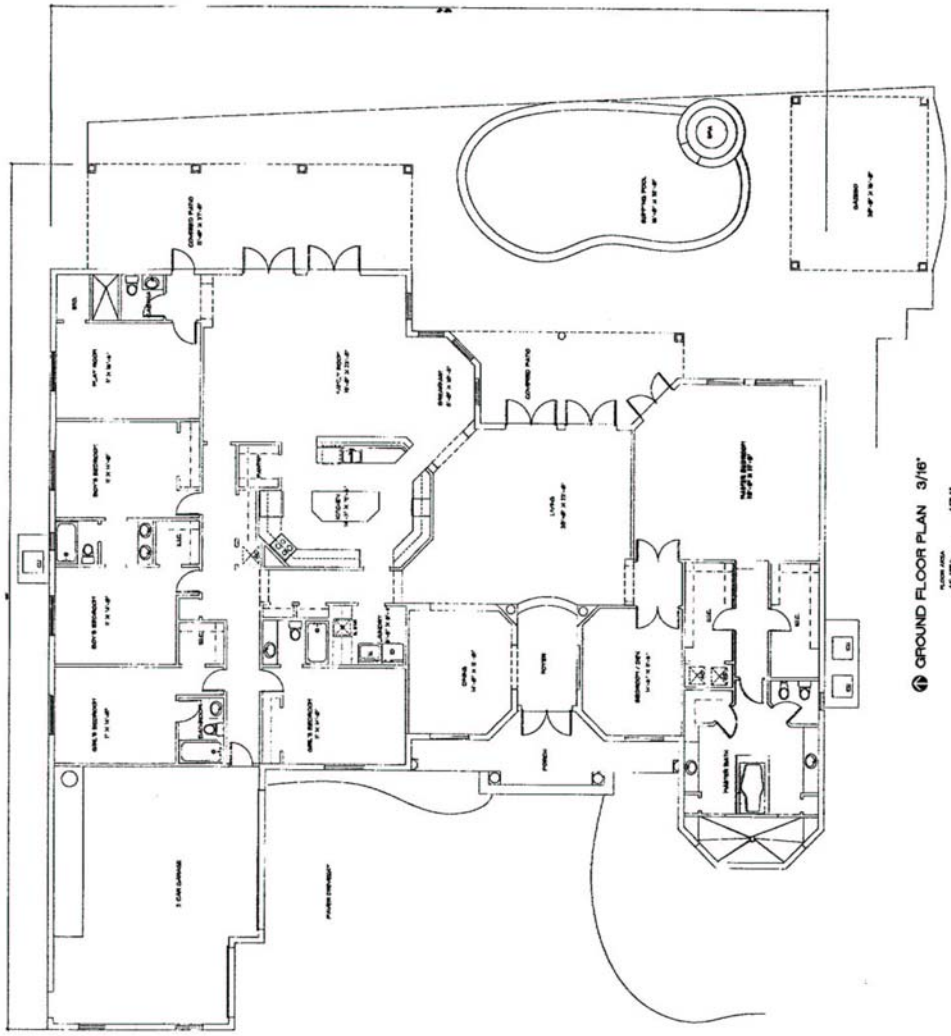
Armstrong Day
 Architect
 1000 West 10th St., Suite 100
 Denver, CO 80202
 Tel: 303.733.1111

OWNER
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 (303) 733-1111

UTERREZ RESIDENCE
 ROYAL OAKS
 15001 W. 15th AVENUE
 HIGHLAND PARK, COLORADO 80127

Revisions	Date	By
1	3/18/18	AD
2	3/18/18	AD
3	3/18/18	AD
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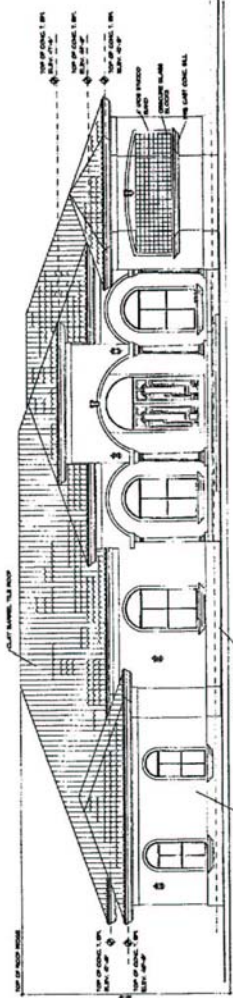
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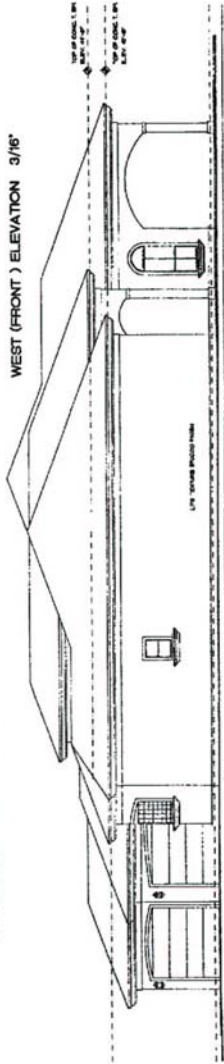
GROUND FLOOR PLAN 3/18/18
 SCALE: 1/8" = 1'-0"
 DATE: 3/18/18
 DRAWN BY: AD
 CHECKED BY: AD
 PROJECT NO.: 18001

Armando Dav
Architect

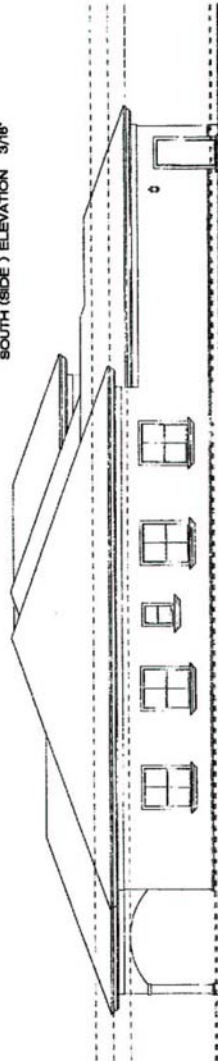
2400 West Main Street, Suite 100
Tucson, Arizona 85710
Tel: (520) 792-1234



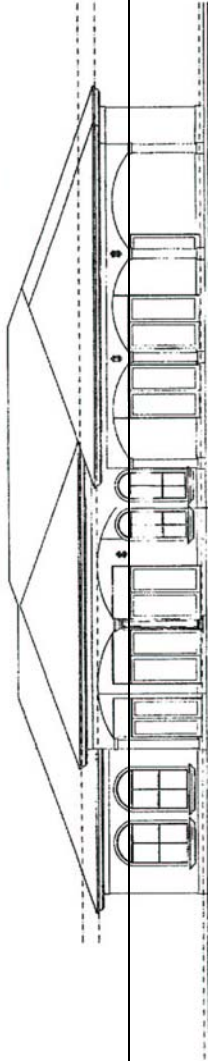
WEST (FRONT) ELEVATION 3/16'



SOUTH (SIDE) ELEVATION 3/16'



NORTH (SIDE) ELEVATION 3/16'



EAST (REAR) ELEVATION 3/16'

OWNER
FRANCIS R. AND KAREN L. GUTIERREZ
1815 N. 15th AVE.
TUCSON, ARIZONA 85710
(520) 827-8948

GUTIERREZ RESIDENCE
1815 N. 15th AVE.
TUCSON, ARIZONA 85710

Revisions	Date
Checked	
Date	
Job no.	