

When you speak, you must come to the podium in the front and clearly state your name and address for the record. Please turn off or mute your cell phone or pager at the start of the meeting. Please be advised that if you don't turn off your cell phone or pager and it rings, you will be asked to leave the chambers.

**TOWN OF BAY HARBOR ISLANDS
PLANNING AND ZONING BOARD**

June 2, 2015

FINAL AGENDA

CALL TO ORDER: Set for 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Request for approval for a basketball court for "Eric and Cynthia Stein" located at 9901 E. Broadview Drive, Lot 13 of Block 23. On March 17, 2015 they came before the Board and were denied. The owners have revised the plans as per the changes requested by the Board. Enclosed please find a copy of the survey, rendering and the specification for the basketball court material. (Item #1A)

** Staff Review:* Design meets Town Code and was approved by Michael Miller Planning Associates Representative, Scott Marks, Community Planner.

ADJOURNMENT

Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Planning and Zoning Board with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings, and that, for such purposes he or she 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.

AGENDA ITEM REPORT

June 2, 2015

ITEM NUMBER: 1.

ITEM:

Request for approval for a basketball court for "Eric and Cynthia Stein" located at 9901 E. Broadview Drive, Lot 13 of Block 23. On March 17, 2015 they came before the Board and were denied. The owners have revised the plans as per the changes requested by the Board. Enclosed please find a copy of the survey, rendering and the specification for the basketball court material. (Item #1A)

DESCRIPTION:

Request for approval for a basketball court for "Eric and Cynthia Stein" located at 9901 E. Broadview Drive, Lot 13 of Block 23. On March 17, 2015 they came before the Board and were denied. The owners have revised the plans as per the changes requested by the Board. Enclosed please find a copy of the survey, rendering and the specification for the basketball court material. (Item #1A)

RECOMMENDED ACTION:

Design meets Town Code and was approved by Michael Miller Planning Associates Representative, Scott Marks, Community Planner.

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Ayanidys Marante
 Ayanidys Marante

ATTACHMENTS

1.	Staff Report	PZB Staff Report May 19 2015.pdf
2.	Survey / Rendering / Specs	SteinBasketballPNZ6.2.15.pdf

**TOWN OF BAY HARBOR ISLANDS
COMMUNITY DEVELOPMENT
MEMORANDUM**

To: Town of Bay Harbor Islands
Planning and Zoning Board

From: Scott D Marks *SDM*
Community Planner
MMPA-Consultant Town Planner

Date: May 19th, 2015

Subject: Stein Single-Family Residence – 9901 East Broadview Drive
Basketball Court Approval (2nd Review)
Bay Harbor Islands Acct. No. BP2014-421

RECOMMENDED ACTION

MMPA recommends the Planning and Zoning Board review the contents of this staff report and the submitted plans for the construction of a basketball court at 9901 East Broadview Drive. If found to be acceptable **APPROVE** the basketball court.

BACKGROUND:

On November 13th, 2014 the Town received an application for a basketball court at a single family home located at 9901 East Broadview Drive. The plans were reviewed by MMPA for consistency with the Town Code requirements. On March 17th, 2015, the Planning and Zoning Board deferred action on the application and requested several items be shown in more detail. The plans were reviewed by MMPA for consistency with the Planning and Zoning Boards requests. Comments were given to the applicant and the current submitted plans are reflective of all requested changes. The current plan meets all Town Code requirements for this type of facility.

PROJECT DESCRIPTION / SUMMARY

The applicant is requesting Planning and Zoning Board approval for a basketball court in the front yard of an existing single family home located at 9901 East Broadview Drive. Per Code Section 23-12(26)(a), outdoor recreational game court facilities, such as basketball courts, are permitted in the RD Single-Family District, subject to Planning and Zoning Board approval. The Code is not very specific, therefore allowing flexibility for these types of game court facilities. The specific Code requirements for basketball courts are:

1. No outdoor basketball poles, including movable re-locatable poles, shall be installed or placed in any public rights-of-way;
2. No exterior lighting shall be provided specifically for the court;
3. No driveway shall be enlarged to serve as a game court; and
4. The striping shall be limited to inconspicuous colors.

The applicant is proposing a green basketball court with green striping. The court will have a 6-foot setback from the front property line and a 5-foot setback from the side property line, to allow for drainage. The court will be surrounded by a landscape buffer (5-foot clusia hedge). No fencing or exterior lighting is proposed. As previously stated, the plans meet all Town Code requirements for an outdoor recreation game court facility.

PZB REQUESTED CHANGES

On March 17th, 2015, the Planning and Zoning Board deferred action on the application and requested several items be shown in more detail.

Front Yard Slope – The PZB requested that the slope of the front yard be addressed in detail. The applicant has provided a survey with spot elevations identified in the front yard area as well as a plan with proposed spot elevations.

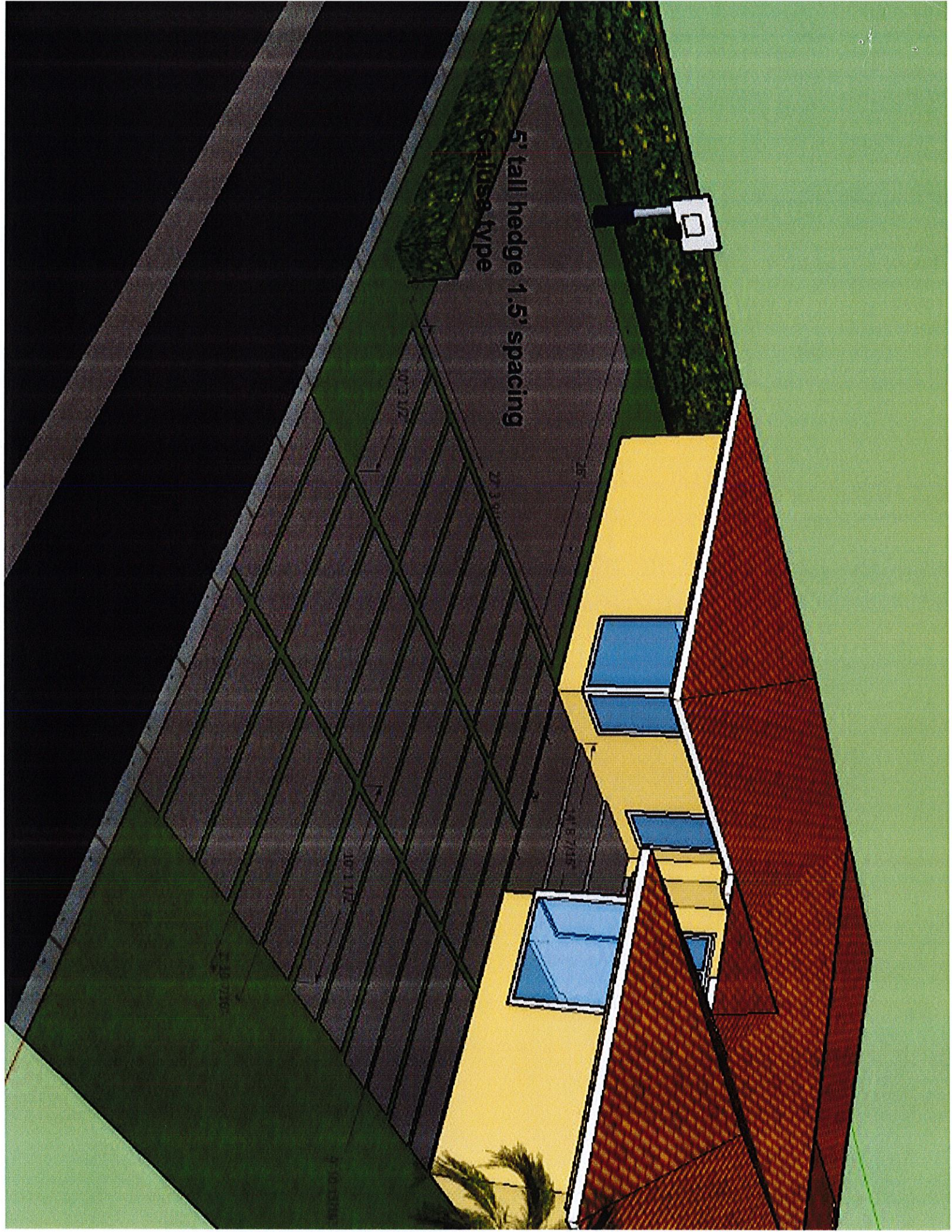
Hedge Height – The PZB requested that the hedge be shown at 4-5 feet in height at time of planting. The applicant has provide a note on the plans showing the hedges at 5-feet in height at time of planting.

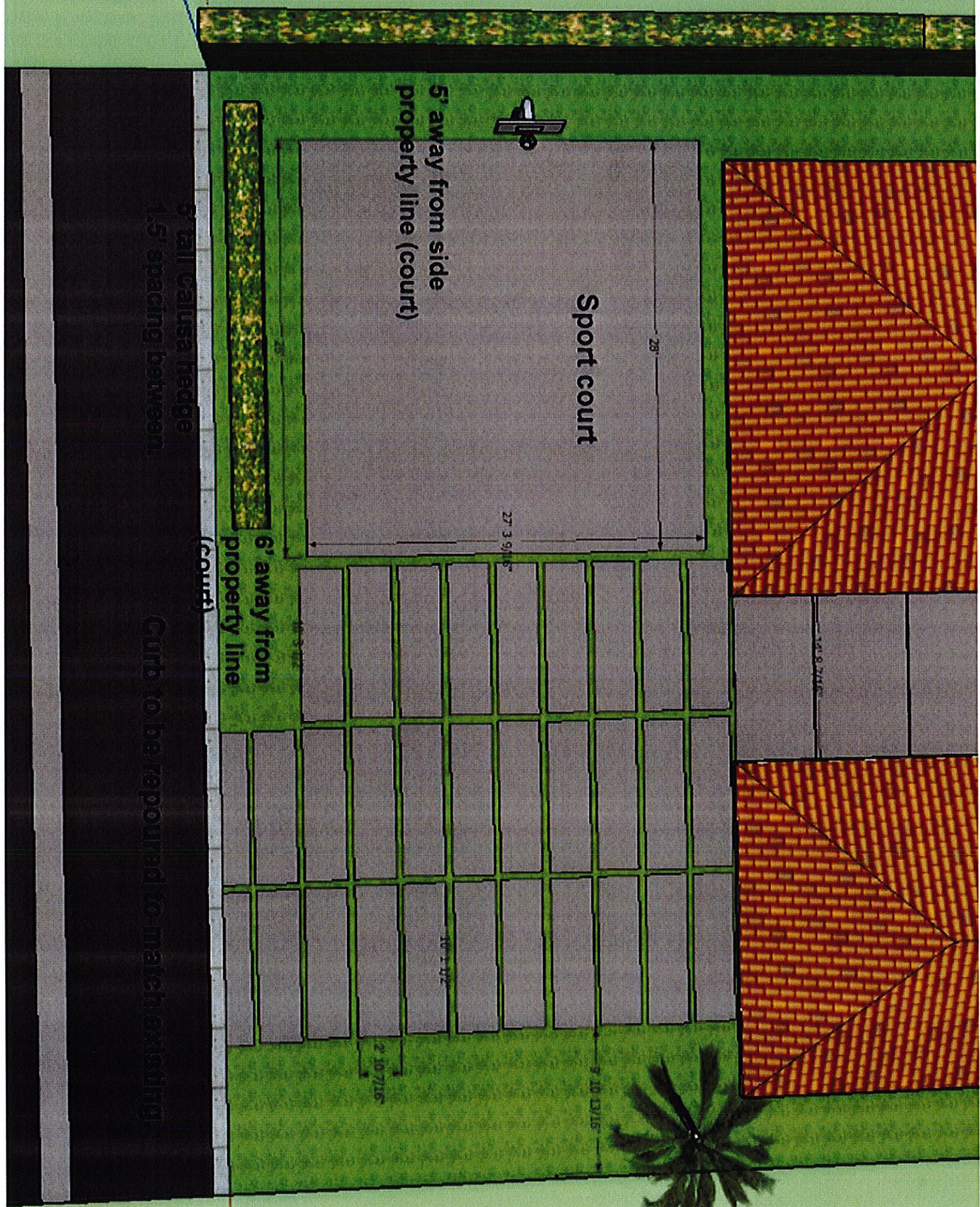
Curb – The PZB requested that the curb be re-poured to match the existing curb. The applicant has provided a note on the plans stating the curb will be re-poured to match the existing curb.

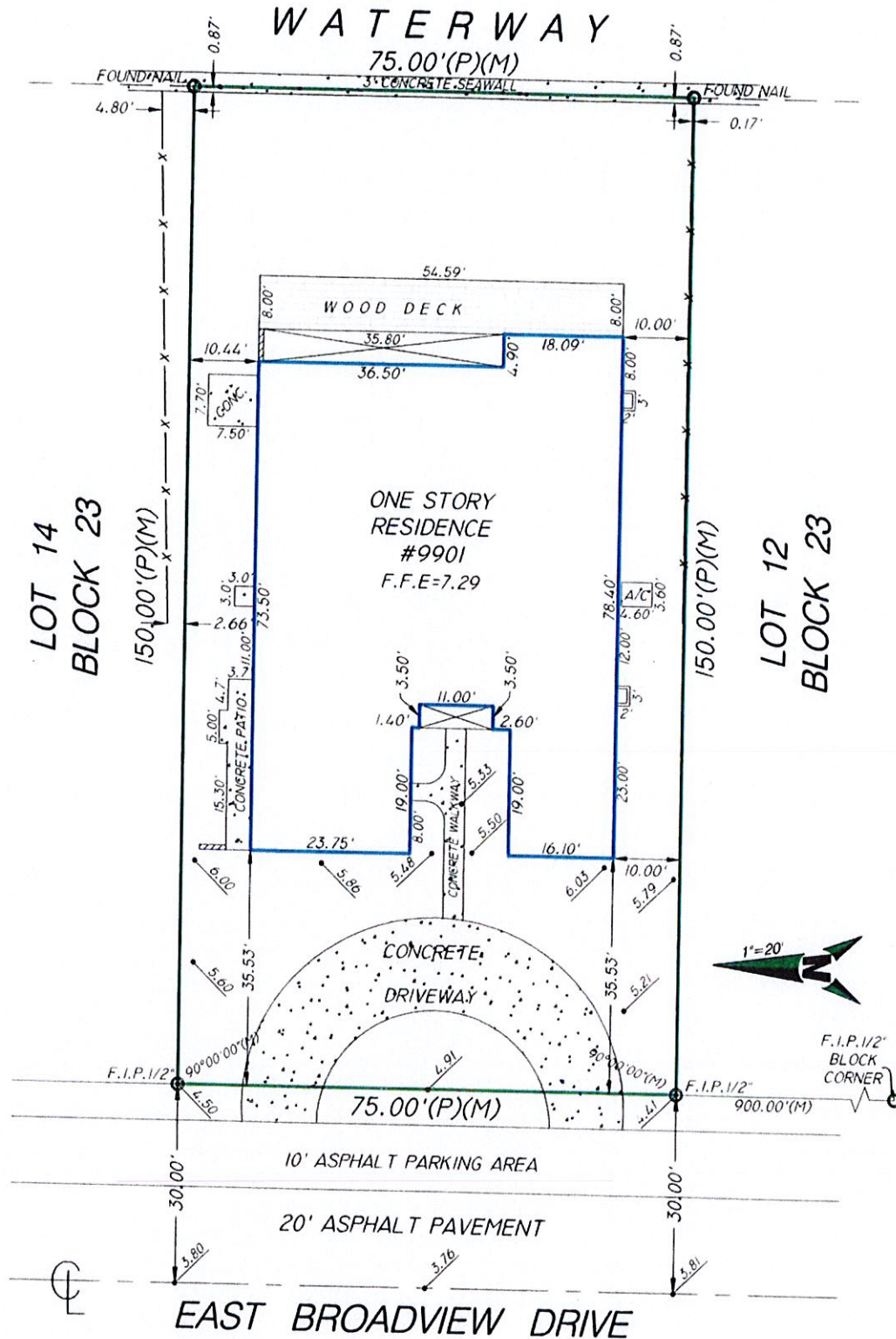
Court Detail – The PZB requested the applicant provide further details on the size of the court as well as the driveway. Additionally the PZB requested details for the rubberized surface. The applicant has provided more dimensions on the plans and specifications of the rubberized surface material.

As previously stated, the applicant has addressed all PZB requested changes and the plans meet all Town Code requirements for an outdoor recreation game court facility.

5' tall hedge 1.5' spacing
Cajuse type



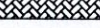




Accepted By: _____

**Property Address: 9901 E. BROADVIEW DRIVE
BAY HARBOR, FL 33154**

NOTES: NO NOTES

	EASEMENT	SET	SET PIN	TYP.	TYPICAL	A/C	AIR CONDITIONER
	CENTER LINE	▲	CONTROL POINT	I.R.	IRON ROD	S/W	SIDEWALK
	WOOD DECK	■	CONCRETE MONUMENT	I.P.	IRON PIPE	DWY	DRIVEWAY
	CONCRETE	⊕	BENCHMARK	N&D	NAIL & DISK	SCR.	SCREEN
	ASPHALT	ELEV	ELEVATION	PK NAIL	PARKER-KALON NAIL	GAR	GARAGE
	BRICK / TILE	P.T.	POINT OF TANGENCY	D.H.	DRILL HOLE	ENCL.	ENCLOSURE
	WATER	P.C.	POINT OF CURVATURE	⊙	WELL	N.T.S.	NOT TO SCALE
	APPROXIMATE EDGE OF WATER	P.R.M.	PERMANENT REFERENCE MONUMENT	⊠	FIRE HYDRANT	F.F.	FINISHED FLOOR
	COVERED AREA	P.C.C.	POINT OF COMPOUND CURVATURE	⊙ M.H.	MANHOLE	T.O.B.	TOP OF BANK
	TREE	P.R.C.	POINT OF REVERSE CURVATURE	O.H.L.	OVERHEAD LINES	E.O.W.	EDGE OF WATER
	POWER POLE	P.O.B.	POINT OF BEGINNING	TX	TRANSFORMER	E.O.P.	EDGE OF PAVEMENT
	CATCH BASIN	P.O.C.	POINT OF COMMENCEMENT	CATV	CABLE TV RISER	C.V.G.	CONCRETE VALLEY GUTTER
C.U.E.	COUNTY UTILITY EASEMENT	P.C.P.	PERMANENT CONTROL POINT	W.M.	WATER METER	B.S.L.	BUILDING SETBACK LINE
I.E./E.E.	INGRESS / EGRESS EASEMENT	M	FIELD MEASURED	P/E	POOL EQUIPMENT	S.T.L.	SURVEY TIE LINE
U.E.	UTILITY EASEMENT	P	PLATTED MEASUREMENT	CONC.	CONCRETE SLAB	⊕	CENTER LINE
		D	DEED	ESMT	EASEMENT	R/W	RIGHT-OF-WAY
		C	CALCULATED	D.E.	DRAINAGE EASEMENT	P.U.E.	PUBLIC UTILITY EASEMENT
		L.M.E.	LAKE OR LANDSCAPE MAINT. ESMT.	L.B.E.	LANDSCAPE BUFFER EASEMENT	C.M.E.	CANAL MAINTENANCE EASEMENT
		R.O.E.	ROOF OVERHANG EASEMENT	L.A.E.	LIMITED ACCESS EASEMENT	A.E.	ANCHOR EASEMENT

Property Address:

9901 E. BROADVIEW DRIVE
BAY HARBOR, FL 33154

Flood Information:

Community Number: 120637
Panel Number: 12086C0144L
Suffix: L
Date of Firm Index: 9/11/2009
Flood Zone: AE
Base Flood Elevation: 8
Date of Field Work: 4/24/2015
Date of Completion: 4/27/2015

General Notes:

1. The Legal Description used to perform this survey was supplied by others. This survey does not determine or is not to imply ownership.
2. This survey only shows above ground improvements. Underground utilities, footings, or encroachments are not located on this survey map.
3. If there is a septic tank, well, or drain field on this survey, the location of such items was shown to us by others and the information was not verified.
4. Examination of the abstract of title will have to be made to determine recorded instruments, if any, effect this property. The lands shown herein were not abstracted for easement or other recorded encumbrances not shown on the plat.
5. Wall ties are done to the face of the wall.
6. Fence ownership is not determined.
7. Bearings referenced to line noted B.R.
8. Dimensions shown are platted and measured unless otherwise shown.
9. No identification found on property corners unless noted.
10. Not valid unless sealed with the signing surveyors embossed seal.
11. Boundary survey means a drawing and/or graphic representation of the survey work performed in the field, could be drawn at a shown scale and/or not to scale.
12. Elevations if shown are based upon NGVD 1929 unless otherwise noted.
13. This is a BOUNDARY SURVEY unless otherwise noted.
14. This survey is exclusive for the use of the parties to whom it is certified. The certifications do not extend to any unnamed parties.
15. This survey shall not be used for construction/permitting purposes without written consent from Miguel Espinosa.

Legal Description:

LOT 13, BLOCK 23, OF SUBDIVISION BAY HARBOR ISLAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 46, PAGE 5, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA

PRINTING INSTRUCTIONS:

While viewing the survey in any Acrobat Reader, select the File Drop-down and select "Print"
Select a color printer, if available, or at least one with 8.5" x 14" paper.
Select ALL for Print Range, and the # of copies you would like to print out.
Under the "Page Scaling" please make sure you have selected "None."
Do not check the "AutoRotate and Center" button.
Check the "Choose Paper size by PDF" checkbox.
Click OK to Print.

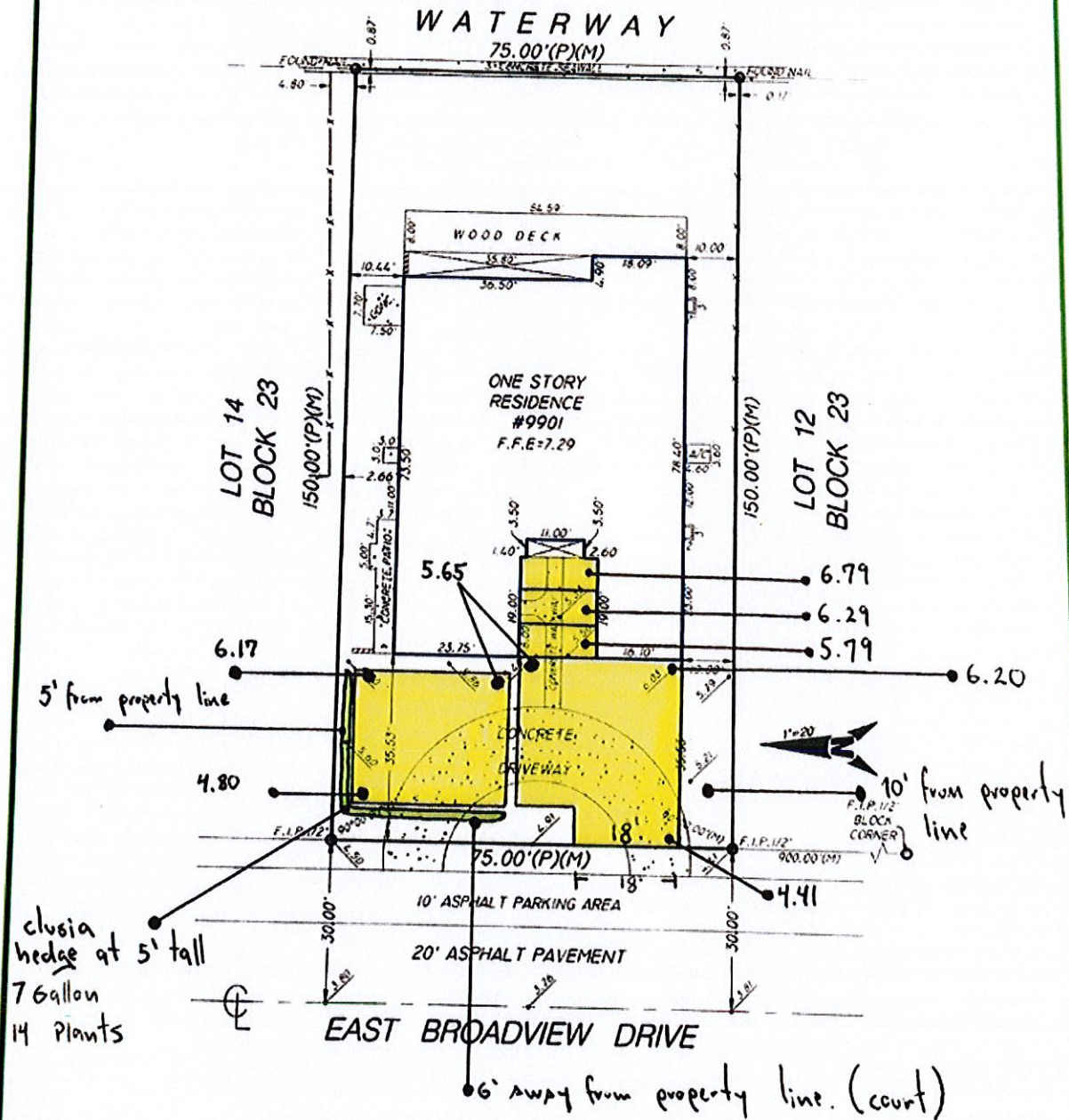
Certified To: ERIC P. STEIN; LAW OFFICES OF ERIC P. STEIN, P.A.;
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY; ;
Its successors and/or assigns as their interest may appear.

Please Copy below for Policy Preparation Purposes only:

This policy does not insure against loss or damage by reason of the following exceptions:
Any rights, easements, interests or claims which may exist by reason of, or reflected by, the following facts shown on the survey prepared by MIGUEL ESPINOSA dated 04/27/2015 bearing Job # A-58597 :
a) NO NOTES
b)
c)



THE GREATEST COMPLIMENT A CLIENT CAN GIVE IS A REFERRAL. THANK YOU FOR YOUR TRUST IN ME.



Accepted By: _____

Property Address: 9901 E. BROADVIEW DRIVE
BAY HARBOR, FL 33154

NOTES: NO NOTES

SURVEYOR'S CERTIFICATION: I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY PREPARED UNDER MY DIRECTION. THIS COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE STATE OF FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 17, FLORIDA ADMINISTRATIVE CODE PURSUANT TO 472.027, FLORIDA STATUTES.

SIGNED Miguel Espinosa FOR THE FIRM
MIGUEL ESPINOSA STATE OF FLORIDA P.S.M. No. 5101

NOT VALID WITHOUT A RAISED SEAL OR ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL AND/OR THIS MAP IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED SURVEYOR AND MAPPER

M.E. Land Services, Inc.
10665 SW 190TH STREET
SUITE 3110
MIAMI, FL 33157
PHONE: (305) 740-3319
FAX: (305) 669-3190
LB# 6463



SPORT COURT® POWERGAME™

SECTION 09624 - MODULAR ATHLETIC SURFACING

PART 1 - GENERAL

1.1 DESCRIPTION

A. Scope

1. The complete installation of modular athletic surfacing system including the interlocking high-impact polypropylene copolymer tile of proprietary formulation and striping.

B. Related work specified under other sections.

1. CONCRETE SUBFLOORS - SECTION 03_ _ _

- a. The general contractor shall furnish and install the concrete subfloors.
- b. The slab shall be a medium broom finish with level tolerances of $\pm 1/8"$ (3.2mm) in any 10' (3m) radius. Floor Flatness and Floor Levelness (FF and FL) numbers are not recognized. High spots shall be ground level and low spots filled with approved leveling compound.
- c. The slab shall have a slope no more than 0.5%, or 1 inch in 16 feet, all in one plane. Optionally, concrete slab may be crowned at the court center line and sloping down at 0.5% towards the edge of the slab.

2. GAME STANDARD INSERTS - SECTION 11_ _ _

1.2 REFERENCES

A. ASTM (American Society for Testing & Materials)

1. ASTM D 256
2. ASTM D 638
3. ASTM D 648
4. ASTM D 785
5. ASTM D 792
6. ASTM C 1028
7. ASTM G 21

B. ISO (International Organization for Standardization)

1. ISO 1183
2. ISO 527-1, -2
3. ISO 179
4. ISO 180
5. ISO 75B-1, -2

C. EN (European Norm)

1. EN 13036-4
2. EN 12235:2004
3. EN 14877:2006
4. EN 12616
5. EN ISO 5470-1

D. ITF (International Tennis Federation)

1.3 SUBMITTALS

- A. Sport Court® PowerGame™ modular athletic surfacing specifications.
- B. One sample of specified system, if requested by Architect.
- C. Sport Court modular athletic surfacing installation guide.
- D. Sport Court modular athletic surfacing care and maintenance guide.
- E. Sport Court Warranty.

1.4 QUALITY ASSURANCE

A. MATERIAL SUPPLIER:

1. Shall be Sport Court International, Inc. (manufacturer)
2. Manufacturer shall be ISO 9001:2008 and ISO 14001:2004 Certified to assure proper quality and environmental control.
3. Manufacturer shall be a Zero Waste company.
4. Manufacturer shall have produced sports surfaces for a longer period of time than their stated

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warranty.

5. Surfaces must be certified for competition by the international federations for basketball (FIBA), volleyball (FIVB), handball (IHF) and badminton (BWF).

B. INSTALLER:

1. The complete installation of the surfacing system as described in these specifications shall be carried out by an experienced installer (Contractor), and the work shall be performed in accordance with current Sport Court installation instructions.
2. Installer (Contractor) shall be liable for all matters related to installation for a period of one year after the floor has been substantially installed and completed.
3. Successful bidder shall submit a minimum of five (5) completed modular projects of similar magnitude and complexity within the last two (2) years.
4. Bidder shall provide all sample tile and documentation.

1.5 DELIVERY, STORAGE AND HANDLING

- A. Materials shall be delivered in manufacturer's original, unopened and undamaged packaging with identification labels intact.
- B. Store material on a clean, dry, and flat surface, protected from exposure to harmful weather conditions or possible damage.

1.6 SITE CONDITIONS

- A. In order to prevent damage and not void the warranty, installation of modular materials shall not commence until all other finishes and overhead mechanical trades have completed their work in the athletic surfacing areas.
- B. Subfloors shall be clean, dry and free from dirt, dust, oil, grease, paint, or other foreign materials.
- C. Surfacing installation shall not begin until the levelness requirements of concrete subfloors have been met.
- D. The installation area shall be closed to all traffic and activity for a period to be set by the Contractor.
- E. Environmental Limitations
 1. Comply with the Sport Court requirements.
 2. Adhere to all MSDS requirements for materials employed in the work.
 3. Protect all persons from exposure to hazardous materials at all times.
- F. After athletic surfacing is installed and the game lines painted, the area is to be closed to allow curing time for the system, typically 3-5 days. No other trades or personnel are allowed on the floor until it has been accepted by the owner.

1.7 WARRANTY

- A. Sport Court provides a limited warranty of fifteen (15) years on the materials it has supplied. (A copy of the full warranty, with its Terms and Exclusions, is available from the authorized Sport Court Dealer.) This 15-Year Limited Warranty is subject to the Outdoor Surface Warranty and all of its provisions. The Outdoor Surface Warranty is expressly limited to the surfacing materials (goods) supplied by Sport Court. During the period covered under the Outdoor Surface Warranty, Sport Court will repair/replace any defective tiles with the same or substantially similar product according to the schedule in the Outdoor Surface Warranty. The warranty does not cover floor damage caused (wholly or in part) by fire, winds, floods, moisture, other unfavorable atmospheric conditions or chemical action, nor does it apply to damage caused by ordinary wear, misuse, abuse, negligent or intentional misconduct, aging, faulty building construction, concrete slab separation, faulty or unsuitable subsurface or site preparation, settlement of the building walls or faulty or unprofessional installation of Sport Court surfacing systems.
- B. Sport Court shall not be liable for incidental or consequential losses, damages or expenses directly or indirectly arising from the sale, handling or use of the materials (goods) or from any other cause relating thereto, and their liability hereunder in any case is expressly limited to the replacement of materials (goods) not complying with this agreement or, at their election, to the repayment of, or crediting buyer with, an amount equal to the purchase price of such materials (goods), whether such claims are for breach of warranty or negligence. Any claim shall be deemed waived by buyer unless submitted to Sport Court in writing within 30 days from the date buyer discovered, or should have discovered, any claimed breach.

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PART 2 - PRODUCTS

2.1 MATERIALS

- A. Sport Court PowerGame™ modular athletic surfacing shall be:
1. Grid-top design.
 2. Size: 12" x 12" x 5/8" (30.48cm x 30.48cm x 15.8mm)
 3. High-impact polypropylene copolymer suspended modules.
 4. 907 support leg structure.
 5. The tile shall have a positive locking system.
- B. Standard Colors: Bright Blue, Burgundy, Dark Blue, Evergreen, Green, Bright Red, Titanium, Sand, Gray, Clover, Brick Red, Steel Blue, Black, Open Tennis Blue, Granite, Earth, Terra-Cotta, Kiwi, Purple, Mustard, Shamrock Green, Pearl Orange, Black.
- C. Color Consistency: $\Delta E_{CMC} < 1.0$
- D. Weight: 0.70 lbs. (315 grams)
- E. Packaging: Product is shipped in pre-assembled sheets (2x4 modules per sheet, 5 sheets per box).
- F. Material Test Results
- | | | |
|----------------------------|------------------------------|--------------------------------|
| 1. Rockwell hardness: | (ASTM D 785) | 65 R |
| 2. Heat deflection: | (ASTM D 648 @ 66 psi) | 85°C |
| | (ISO 75B-1, -2 @ 40.45 MPa): | 73°C Unannealed |
| 3. Tensile Yield Strength: | (ASTM D 638) | 3,000psi |
| | (ISO 527-1, -2) | 20 MPa |
| 4. Elongation at Yield: | (ASTM D 638) | 5% |
| | (ISO 527-1, -2) | 5% |
| 5. Notched Izod: | (ASTM D 256) | No break at 23°C |
| | (ISO 180) | 31kJ/m ² |
| 6. Charpy Notched Impact: | (ISO 179 @ 23°C) | 26kJ/m ² |
| 7. Density: | (ASTM D 792) | 0.902 specific gravity 23/23°C |
| | (ISO 1183 @ 23°C) | 0.90 g/cm ³ |
- G. Product Test Results
- | | | |
|----------------------------|--------------------------------|-----------------|
| 1. Friction: | (ASTM C1028) | Dry: 0.65 |
| | (EN 13036-4) | Dry: 103 |
| 2. Vertical Ball Behavior: | (EN 12235:2004) | Tennis: 93% |
| 3. Angled Ball Behavior: | (EN 14877:2006) | Tennis: 50 Fast |
| 4. Permeability: | (EN 12616) | >2000 mm/h |
| 5. Flatness: | 0.0" (0.0mm) | |
| 6. Lateral Forgiveness™: | +0.065" / -0" (+1.65mm / -0mm) | |
- H. Load Bearing Capacity: 170 psi (1.17MPa)
- I. Court Pace Classification: (ITF) Category 5 - Fast
- J. Sanitary Information
1. Resistance to fungi (when tested in compliance with ASTM G-21 and MIL standard 810-D procedure 508.3). All basic organisms tested (ATCC #6205-11797) and were found to have zero growth.
 2. Resistance to the following:
 - a. Bacteria and mildew resistance
 - b. Gram-positive bacterial Staphylococcus Aureus
 - c. Gram-negative Klebsiella Pneumoniae
 - d. Pink-staining organism
 - e. STV Reticulum
 - f. Surface fungi growth prior to and following leaching
- K. Game Line Paint
1. Adhesion promoter – proprietary tile adhesion promoter as supplied by Sport Court.
 2. Paint – aliphatic polyurethane as recommended by Sport Court. Select from standard colors.

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PART 3 - EXECUTION

3.1 INSPECTION

- A. Inspect concrete slab for contamination, dryness and levelness. Report any discrepancies to the general contractor.
- B. Concrete slab shall be broom swept and dust free by the general contractor.
- C. Installer (Contractor) shall document all working conditions as specified in PART 1 – GENERAL prior to starting installation. Report any discrepancies to the general contractor.

3.2 INSTALLATION

- A. Sports surface shall be installed to pre-approved layout.
- B. Tiles shall be trimmed to accommodate thermal expansion and contraction according to *Sport Court Thermal Expansion and Concrete Size Adjustment* document.
- C. Sports surface shall be clean and dust free.
- D. Game Lines
 - 1. Use only high quality masking tape approved by Sport Court.
 - 2. Lines shall be primed and painted using Sport Court proprietary adhesion promoter and recommended aliphatic polyurethane paint.
 - 3. Provide game lines as indicated on drawings.
- E. Remove all excess and waste materials from the work area. Dispose of empty containers in accordance with federal and local statutes.

END OF SECTION 09624