

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**

March 16, 2021

FINAL AGENDA

SPECIAL NOTICE – VIRTUAL MEETING

Pursuant to Ordinance No. 1054, the Planning & Zoning Board Meeting will be held as a Virtual Meeting. The general public and other members of staff will be able to view and participate in the meeting (Virtually) by utilizing the Zoom video conferencing platform.

Zoom Link: <https://zoom.us/j/98066008060>

Meeting ID: 980 6600 8060

To request to speak during Public Comment, please utilize the “raise your hand” Zoom feature on your electronic device. You will be recognized at the direction of the Zoom Meeting Host.

In addition, any member of the public who does not wish, or is unable to participate through the Zoom video conferencing platform, but would still like to participate can do so by listening to the meeting as it happens by dialing the Toll-free number below:

US Toll Free Number: 877 853 5247 or 888 788 0099

Meeting ID: 980 6600 8060

Participant ID: Press the # key

To request to speak: Dial *9 on your telephone device to activate the “Raise your Hand” feature on the zoom platform.

Members of the Public can also submit their request to speak and/or comments via e-mail to the Office of the Town Clerk at achang@bayharborislands-fl.gov

CALL TO ORDER: Set for 6:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

1. Request for approval for an addition to an existing single family home for "Gloria Sterental" located at 1361 97 Street, Lot 10 of Block 35. The Board previously approved this item on May 7, 2019. The owners at that time cancelled the permit application and now have resubmitted the plans for review and approval. The proposed small addition at the SE front corner of the home will add a bathroom for the existing 4th bedroom. Enclosed please find the site plan and elevations. (Item #1)

** Staff Review:* Design meets Town Code and was approved by Michael Miller Planning Associates Representative, Mr. Edward Ploski, 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

March 16, 2021

ITEM NUMBER: 1.

ITEM: Request for approval for an addition to an existing single family home for "Gloria Sterental" located at 1361 97 Street, Lot 10 of Block 35. The Board previously approved this item on May 7, 2019. The owners at that time cancelled the permit application and now have resubmitted the plans for review and approval. The proposed small addition at the SE front corner of the home will add a bathroom for the existing 4th bedroom. Enclosed please find the site plan and elevations. (Item #1)

DESCRIPTION:

RECOMMENDED ACTION:

Design meets Town Code and was approved by Michael Miller Planning Associates Representative, Mr. Edward Ploski, Community Planner.

FINANCIAL ANALYSIS:

BUDGET IMPACT:

Submitted By: Ayanidys Martinez
 Ayanidys Martinez

ATTACHMENTS

1. BHI PZB Staff Report 1361 97 St SFR Add Feb 24 2021
2. STERENTAL RESIDENCE - BATHROOM ADDITION

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

To: Planning and Zoning Board
Town of Bay Harbor Islands

From: Michael J. Miller, AICP 
Consultant Town Planner

Date: February 24th, 2021

Subject: Proposed Revision to Approved Site Development Plan
Single-Family Residence - Addition Revisions
1361 97th Street (Sterental)
Bay Harbor Islands Acct. No.: MB2017-65
MMPA Acct. No.: 01-0702-1066B

RECOMMENDED ACTION

MMPA recommends the Planning and Zoning Board review the contents of this staff report, the latest revised site plan and architectural plans and if felt to be acceptable, **APPROVE** the plans as submitted or with modifications as deemed appropriate and/or with conditions, to allow for an addition to the existing single-family home located at 1361 97th Street.

GENERAL PROJECT INFORMATION

Land Use Designation: L – Low Density Residential
Zoning District: RD Single-Family District
General Location: 1361 97th Street
Legal Description: Lot 10 of Block 35, "Bay Harbor Island" according to the plat thereof, as recorded in Plat Book 46, at Page 5 of the Public Records of Miami-Dade County.

PROJECT DESCRIPTION / HISTORY

On March 6th, 2018, the Planning and Zoning Board (PZB) approved a Site Development Plan for this property to allow for an expansion / modernization of the home. However, when the owner's bid the project out for construction, they found it to be cost prohibitive. The Town subsequently received a request from the project architect (Shapiro Assoc.) to construct only a small addition at the SE front corner of the home to add a bathroom for the existing 4th bedroom (3'-6" x 15' = 52.5 sq. ft.).

**Town of Bay Harbor Islands
Planning and Zoning Board Staff Report
1361 97th Street – Revisions to Previously Approved PZB Plans
February 24th, 2021
Page 2**

The PZB approved the 52.5 sq.ft. bathroom addition on May 7th, 2019. The owner did not file for building permits for the addition in the required timeframe (12 months from PZB approval date); therefore, the May 7th, 2019 PZB approval expired. Recently the owner contacted the Town staff in an attempt to move forward with the addition, but due to the project approval expiring in May 2020, they were told to re-file the application for the addition. The applicant has resubmitted the previously approved plans for review by the PZB.

A standard Town condition of PZB approval is that if any future plan modifications occur, the plans will be reviewed by Town staff / MMPA and may require re-approval by the PZB if felt to be substantial. If the changes are deemed substantial the Code requires re-approval by the PZB. In late January 2019 MMPA informed the Town's administrative staff of the architect's plans to reduce the scope of the work. Town Staff determined that PZB re-approval was required, as the reduced work was only a small portion of the March 2018 overall approval – and the PZB / public would be expecting the complete renovation presented at the PZB public hearing. While the small addition was included on the PZB plans approved on March 6th, 2018 none of the other improvements the PZB considered will be done. As stated above the PZB approved the small addition on May 7th, 2019 but that approval expired on May 7th, 2020 due to inactivity (no building permit filed). The owner has now refiled an application for the exact same 2019 addition. In 2008 when the Town Council delegated most land development approval authority to the PZB a list of what the PZB had to approve / Town staff could approve administratively was adopted. The PZB is required to approve any additions to existing development.

§5-23.1(c) of the Town Code states:

“Subsequent to planning and zoning board approval, if the proposed structure or project is not constructed in accordance with the plan proposed and approved by the planning and zoning board, no certificate of occupancy shall be issued, and a fine may be levied against a real property owner in an amount not to exceed \$250.00 per day per unit for each day of continued violation. And in the event that a certificate of occupancy has been issued previously, it shall be revoked, and no further occupancy shall be permitted until the proposed structure or project is brought into conformity with the plan approved by the planning and zoning board. Provided further, in the event that occupancy is not discontinued, then a fine shall be levied in the amount of \$250.00 per day per unit for each day of continued occupancy until the proposed structure or project is brought into conformity with the plan approved by the planning and zoning board.”

While MMPA coordinates with architects / developers on land development matters, MMPA does not solely decide what items require formal re-approval by the PZB – this is a collective Town Administration decision. The PZB has stated they wish to review “major” exterior changes to the building / site layout, including landscaping plan changes. Again, in 2008 the Town adopted a list of what changes can be made administratively vs. PZB re-approval. The owner abandoned the majority of the March 2018 improvements due to construction costs. In 2019 the owners filed a request for only the small 52.5 sq. ft. addition. The Town determined that PZB re-approval was required. The Town's PZB approved the smaller project but the owners did not file for building permits as required and the PZB approval expired. This new re-submission is for the exact same additional approved by the Town in May 2019. The applicable Codes have not changed.

The existing single-story home was built in 1957 and is 3,682 square feet in size including a one (1) car garage with 4 bedrooms / 4 bathrooms and has a white concrete tile roof. The proposed addition includes a small expansion of the enclosed floor area (3'-6" x 15' = 52.5 sq. ft.) at the southeast corner of the home. There is currently a "notch" in the home footprint at this location with a decorative wooden panel facing 97th Street. The area will be used for an additional bathroom for one of the bedrooms. The overall height of the structure will remain as is at about 12' above BFE, with 25' being the maximum height permitted in the RD Single-Family District.

The site has several non-conformities as to existing landscaping (not enough / wrong type of trees) and an old pool deck encroaches into required setback areas (built prior to Code updates). The revised architect plans appear to indicate the pool deck / pool equipment will still be adjusted to comply with current Code requirements.

COMPREHENSIVE PLAN / ZONING

Comprehensive Plan – The property has a Future Land Use Map (FLUM) designation of "Low Density Residential". The maximum allowable base density is six (6) DUA. The proposed use and density of the property would be consistent with the applicable FLUM designation of the property.

Land Development Regulations / Zoning Code –The property has a Zoning Classification of RD Single Family Zoning District. The proposed use and density of the property is consistent with this zoning classification. The following Zoning and Planning sections of the Code apply to this proposal: Section 23-3 (Use Regulations RD District), Section 23-9 (Minimum Size of Living Units), Section 23-10 (Minimum Size of Building Lot), Section 23-11(A) (Land Development Regulations RD Single-Family Area) and Section 23-12 (Land Development Regulations General Provisions). In addition, the Town has separate regulations for landscaping and building material regulations.

PLATTING

The site will not require re-platting, as the site is currently platted as described above under the legal description.

SUMMARY / SITE PLAN COMMENTS

The latest revised site plan and architectural plans submitted for a 52.5 sq. ft. addition to an existing single-family home located at 1361 97th Street meet or exceed all Town Land Development Code requirements. The previous PZB approval granted on May 7th, 2019 expired; therefore, the applicant has resubmitted the plans again for approval. The plans were re-reviewed by MMPA and the proposed addition meets the Town's minimum building setback / other requirements.

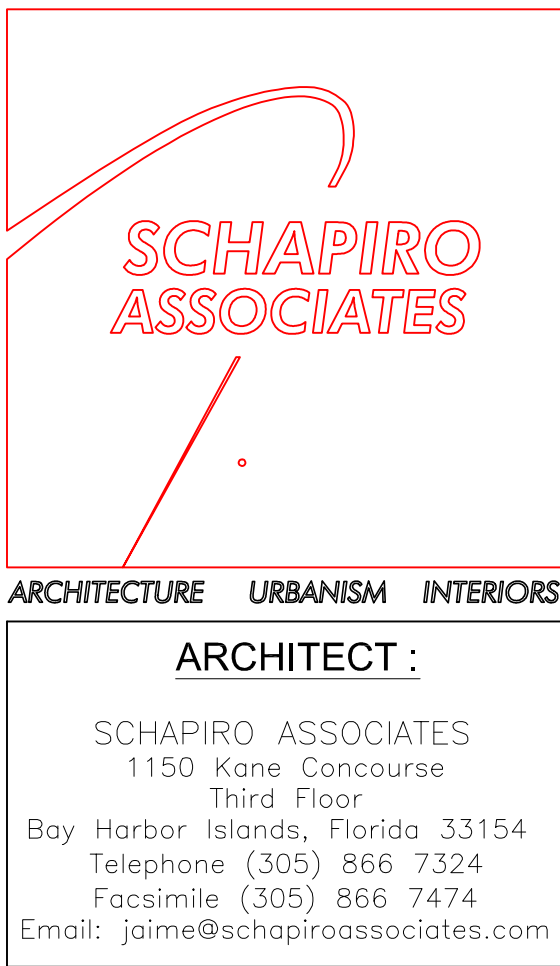
The following condition of approval is recommended:

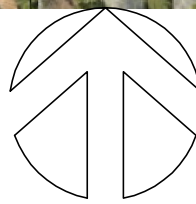
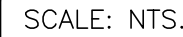
- 1) This approval is based on the revised plans received from Schapiro Associates dated February 11th, 2021 with any modifications required by the PZB. Any future modifications to the above plans shall be reviewed by Town staff / MMPA and may require re-approval by the PZB if felt to be substantial.

STERENTAL RESIDENCE

1361 97TH STREET
BAY HARBOR ISLANDS, FLORIDA 33154
FOLIO NO. 13-2227-001-6460

BATHROOM ADDITION





LOT 10, BLOCK 35, BAY HARBOR ISLANDS ACCORDING
TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 46,
AT PAGE 5, OF PUBLIC RECORDS OF MIAMI-DADE
COUNTY, FLORIDA.

ZONING DISTRICT RESIDENTIAL-RD-SINGLE FAMILY AREA
LOT WIDTH - 85.00'
LOT DEPTH - 125.00'
LOT AREA - 10,625 SF.
BUILDING COVERAGE - 3,734 SF.=35.14%
MIN. BUILDING AREA REQUIRED - 2,000 SF.(EXCLUDING GARRAGE)
PROPOSED TOTAL BUILDING AREA -

TOTAL: 3,734.00 SF. (INCLUDING GARAGE)

<u>SETBACKS</u>	<u>REQUIRED</u>	<u>PROVIDED</u>
PRIMARY FRONTAGE	25'	25'-5" EXISTING
SIDE	10'	10'-6" EXISTING
REAR	15'	16'-11" EXISTING

<u>HEIGHT</u>	<u>ALLOWED</u>	<u>PROVIDED</u>
	25' IN HEIGHT ABOVE BFE (8.00 N.G.V.D.)	EXISTING 8.00' N.G.V.D.

LOT COVERAGE:
LOT SIZE: 10,625 SF.
MAIN BUILDING COVERAGE: 3,734 SF.
BUILDING LOT COVERAGE: 3,734/10,625 SF.= 35.14%

EXTERIOR POOL DECK: 1,646 SF.
DRIVEWAY AREA: 610 SF.
TOTAL IMPERVIOUS AREA: 2,256 SF.

TOTAL PERVIOUS AREA: 4,635 SQ. FT.

RESIDENTIAL: Section R322 of the Florida Building Code, Residential, as applicable, any additions that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction.

ADDITION, An extension or increase in floor area, number of stories, or height of a building or structure.

SITE-BUILT SINGLE-FAMILY RESIDENTIAL STRUCTURES. This term shall mean site-built single-family detached residential structures.

SUBSTANTIAL IMPROVEMENT. For the purpose of determining compliance with the flood provisions of this code, any repair, alteration, addition, or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the structure, before the improvement or repair is started. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed.

2020 FLORIDA BUILDING CODE, 7TH EDITION



ARCHITECTURE URBANISM INTERIORS

SCHAPIRO ASSOCIATES
1150 Kane Concourse
Third Floor
Bay Harbor Islands, Florida 33154
Telephone (305) 866 7324
Facsimile (305) 866 7474
AR0006823
jaime@schapiroassociates.com

**STERENTAL RESIDENCE
REMODELING & ADDITION**
1361 97th STREET
BAY HARBOR ISLANDS, FLORIDA 33154
FOLIO NO. 13-2227-001-6460

© 2021 Schapiro Associates Inc. No part of these ideas, plans or designs may be reproduced or copied in any form whatsoever without the express written consent of the copyright holder. Written dimensions on these drawings shall have precedence over scale dimensions. Schapiro Associates assumes no liability for unauthorized use of these plans, drawings and specifications of any variation from original specifications.

FIRST ISSUE DATE:	PROJECT No.:
01-08-2021	556-R
SCALE:	CAD DWG FILENAME:
AS SHOWN	556 R - A-1 SITE PLAN.dwg

REV	SCOPE	DATE
1	BLDG COMMENTS	02-28-2021

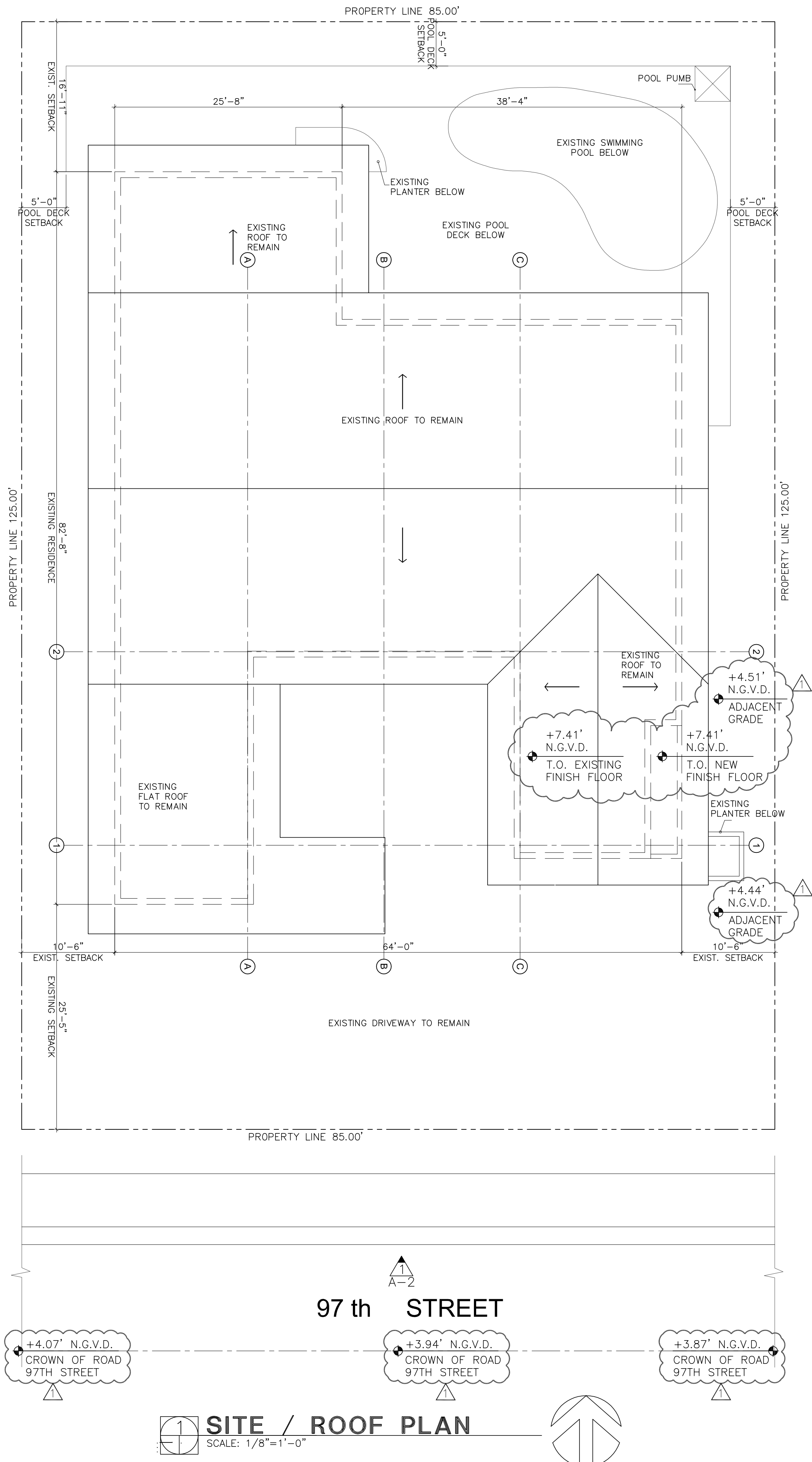
[illegible]

SHEET TITLE:

**SITE PLAN,
LOCATION PLAN**

SHEET No.:

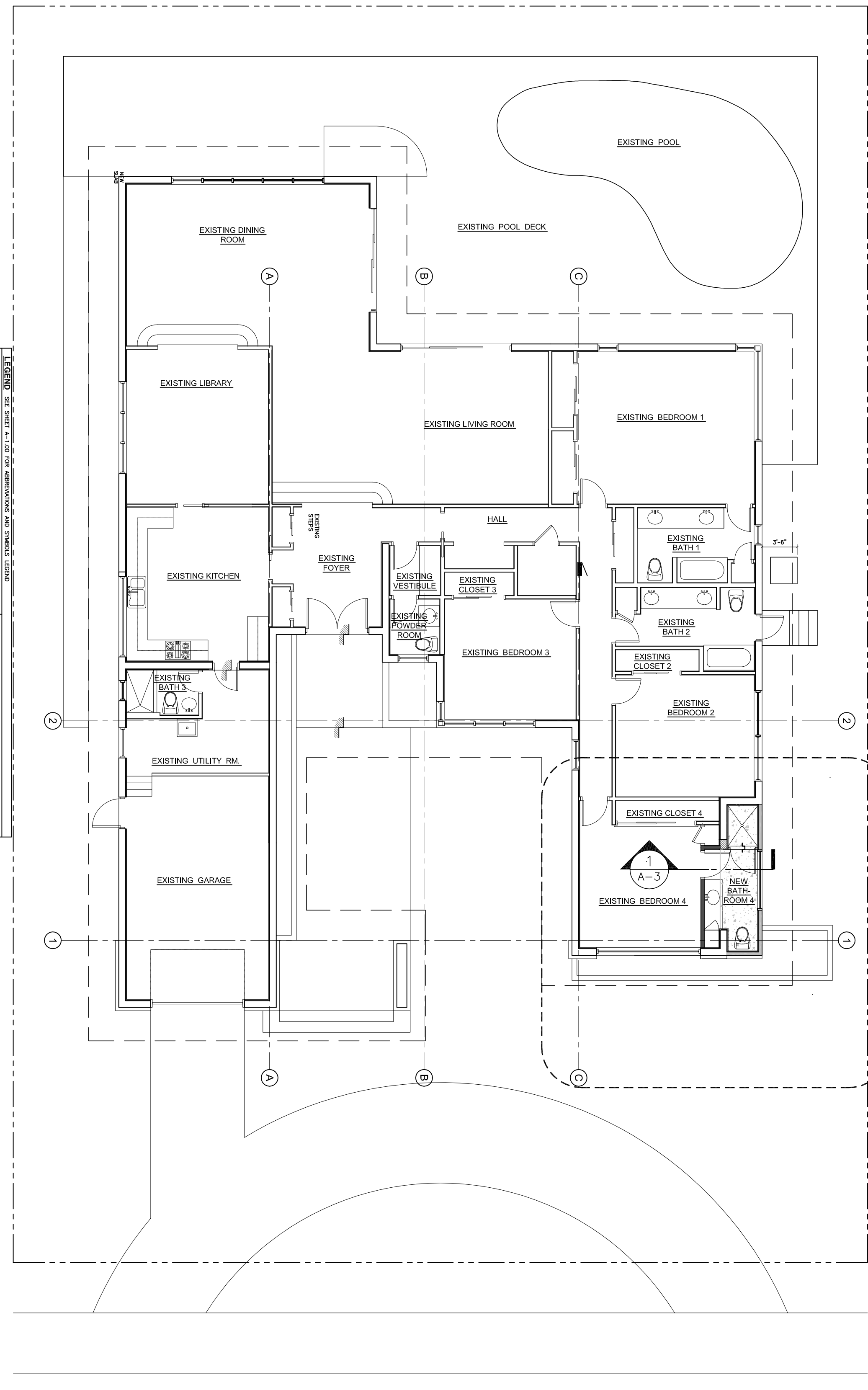
A-1



INFORMATION GATHERED FROM THE BOUNDARY SURVEY AND ELEVATION
CERTIFICATE FROM NOVA SURVEYORS, SURVEY NO. 3-0011871-2

FINISHED FLOOR ELEVATION	+7.41' N.G.V.D.
LOWEST ELEVATION OF EQUIPMENT	+7.60' N.G.V.D.
FLOOD ZONE	AE
PANEL NUMBER (FROM ELEVATION CERTIFICATE)	12086C0144
BASE FLOOD ELEVATION	8 FEET
HIGHEST CROWN OF ROAD	+4.07' N.G.V.D.
MIDWAY MEASURED HEIGHT CROWN OF ROAD	+3.94' N.G.V.D.
LOWEST MEASURED HEIGHT CROWN OF ROAD	+3.97' N.G.V.D.
LOWEST ADJACENT GRADE	+4.44' N.G.V.D.
HIGHEST ADJACENT GRADE	+4.51' N.G.V.D.

- Per Miami-Dade County Property Assessment, the Assessed Value of the land and house is \$717,312 for the year of 2020.
- 50% of \$717,312 = \$358,656
- Total square footage of addition is 52 S.F.
- 52 S.F. @ \$300 P/SF = \$15,600.
- The 52 S.F. construction cost is far less than 50% market value.



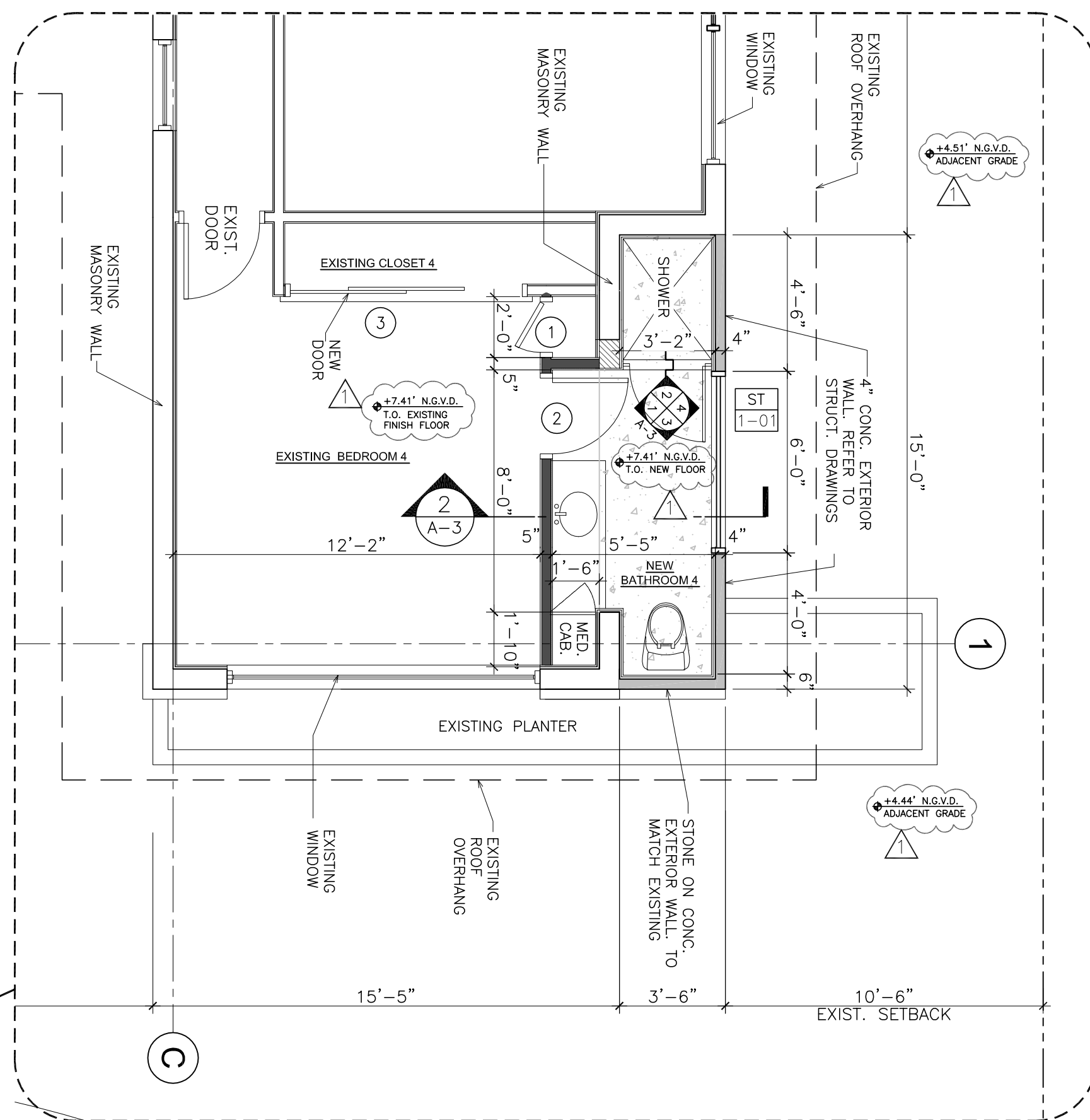
97 th STREET

+4.07' N.G.V.D. CROWN OF ROAD 97TH STREET

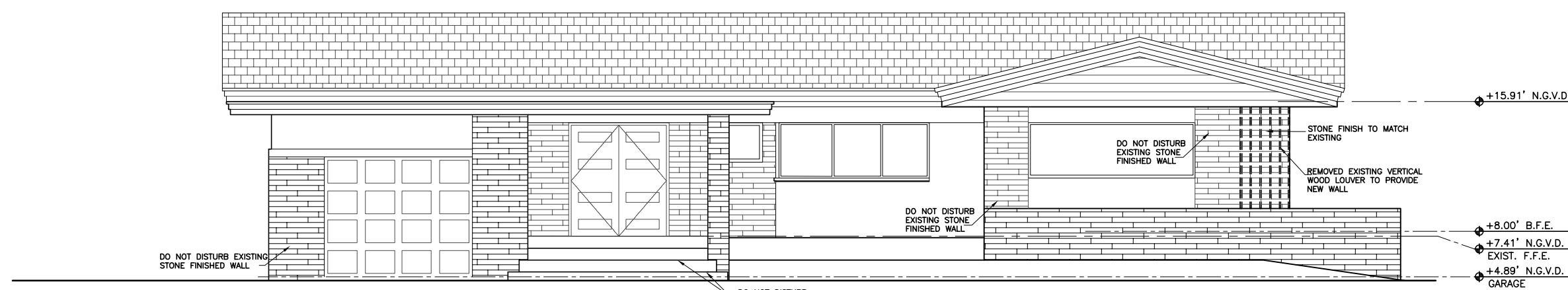
+3.94' N.G.V.D. CROWN OF ROAD 97TH STREET

+3.87' N.G.V.D. CROWN OF ROAD 97TH STREET

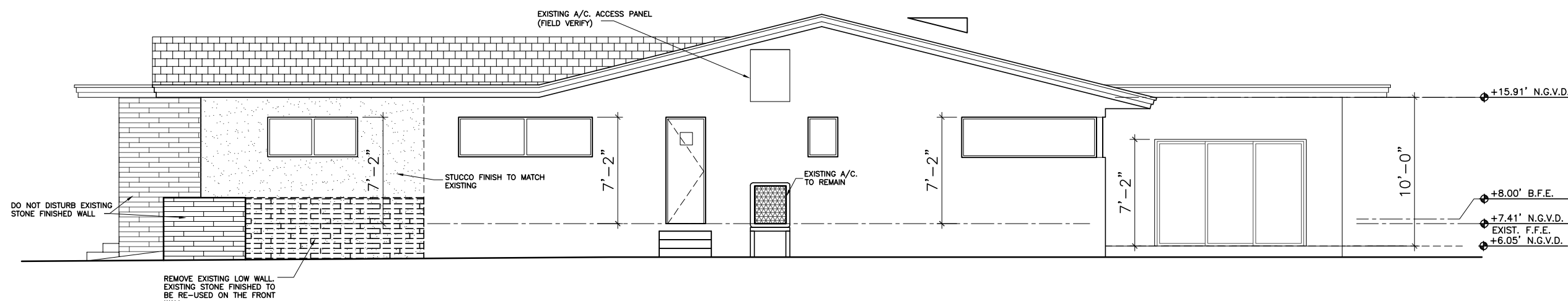
GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"



ENLARGED FLOOR PLAN
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"

DEMOLITION NOTES

1. NOTIFY ARCHITECT OF ANY DISCREPANCIES PRIOR TO DEMOLITION.
2. DEMOLITION OPERATIONS TO COMPLY WITH NFPA 241-2004 EDITION.
3. ACCURATELY RECORD ACTUAL LOCATIONS OF CAPPED UTILITIES, AND SUB-SURFACE OBSTRUCTIONS. ALL RECORD INFORMATION IS TO BE SHOWN ON FINAL AS-BUILT DRAWING PREPARED BY THE CONTRACTOR.
4. NOTIFY AFFECTED UTILITY COMPANIES BEFORE STARTING WORK AND COMPLY WITH THEIR REQUIREMENTS.
5. PROTECT EXISTING LANDSCAPING MATERIALS, APPURTENANCES AND STRUCTURES WHICH ARE NOT TO BE DEMOLISHED. REPAIR DAMAGE CAUSED BY DEMOLITION OPERATIONS AT NO COST TO OWNER.
6. CONDUCT OPERATIONS WITH MINIMUM INTERFERENCE TO PUBLIC OR PRIVATE ACCESS. MAINTAIN ACCESS AND EGRESS AT ALL TIMES.
7. CLEAN ADJACENT STRUCTURES AND IMPROVEMENTS OF DUST, DIRT AND DEBRIS CAUSED BY DEMOLITION OPERATION. RETURN ADJACENT AREAS TO CONDITION EXISTING PRIOR TO START OF WORK.
8. DEMOLISH COMPONENTS INDICATED ON PLANS AND REMOVE FROM SITE USING METHODS AS REQUIRED TO COMPLETE THE WORK WITHIN LIMITATIONS OF GOVERNING REGULATIONS. SMALL STRUCTURES MAY BE REMOVED INTACT WHEN ACCEPTABLE TO OWNER AND AUTHORITIES HAVING JURISDICTION.
9. REMOVE FROM SITE DEBRIS, RUBBISH, AND OTHER MATERIALS RESULTING FROM DEMOLITION OPERATIONS TO AREAS WHICH ARE APPROVED FOR DISPOSAL BY GOVERNING AUTHORITIES AND APPROPRIATE PROPERTY OWNERS.

FLOOD LEGEND

INFORMATION GATHERED FROM THE BOUNDARY SURVEY AND ELEVATION CERTIFICATE FROM NOVA SURVEYORS, SURVEY NO. 3-0011871-2	
FINISHED FLOOR ELEVATION	+7.41' N.G.V.D.
LOWEST ELEVATION OF EQUIPMENT	+7.60' N.G.V.D.
FLOOD ZONE	AE
PANEL NUMBER (FROM ELEVATION CERTIFICATE)	12086C0144
BASE FLOOD ELEVATION	8 FEET
HIGHEST CROWN OF ROAD	+4.07' N.G.V.D.
MIDWAY MEASURED HEIGHT CROWN OF ROAD	+3.94' N.G.V.D.
LOWEST MEASURED HEIGHT CROWN OF ROAD	+3.97' N.G.V.D.
LOWEST ADJACENT GRADE	+4.44' N.G.V.D.
HIGHEST ADJACENT GRADE	+4.51' N.G.V.D.

**STERENTAL RESIDENCE
REMODELING & ADDITION**

1361 97th STREET
BAY HARBOR ISLANDS, FLORIDA 33154
FOLIO NO. 13-2227-001-6460

© 2021 Schapiro Associates Inc. No part of these ideas, plans or designs may be reproduced or copied in any form whatsoever without the express written consent of the copyright holder. Written dimensions on these drawings shall have precedence over scale dimensions. Schapiro Associates assumes no liability for unauthorized use of these plans, drawings and specifications of any variation from original specifications.

FIRST ISSUE DATE: PROJECT No.:

01-08-2021 556-R

SCALE: CAD DWG FILENAME:

AS SHOWN

REV SCOPE DATE

BLDG COMMENTS 02-28-2021

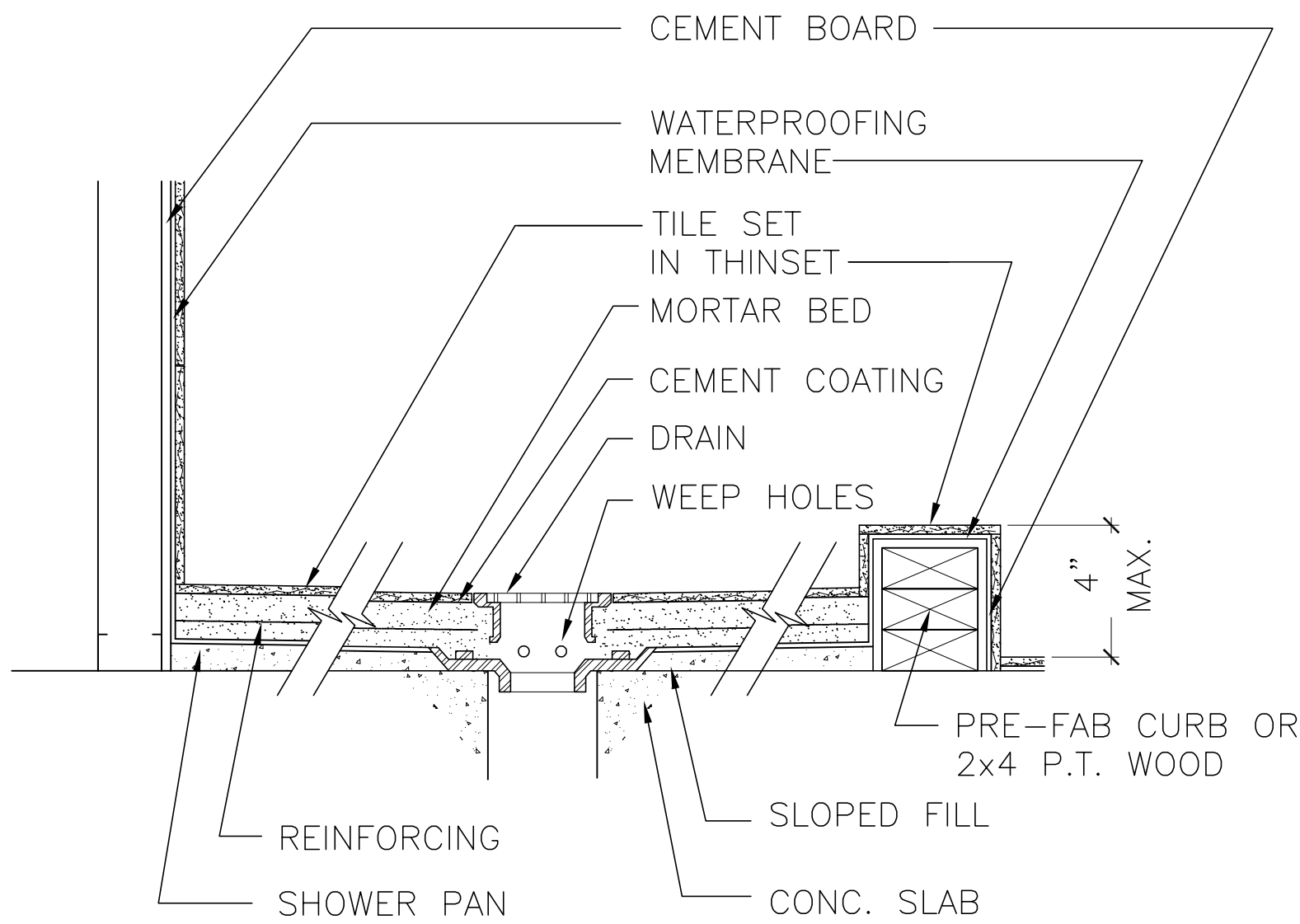
SHEET TITLE:

**FLOOR PLAN
&
FRONT ELEVATION**

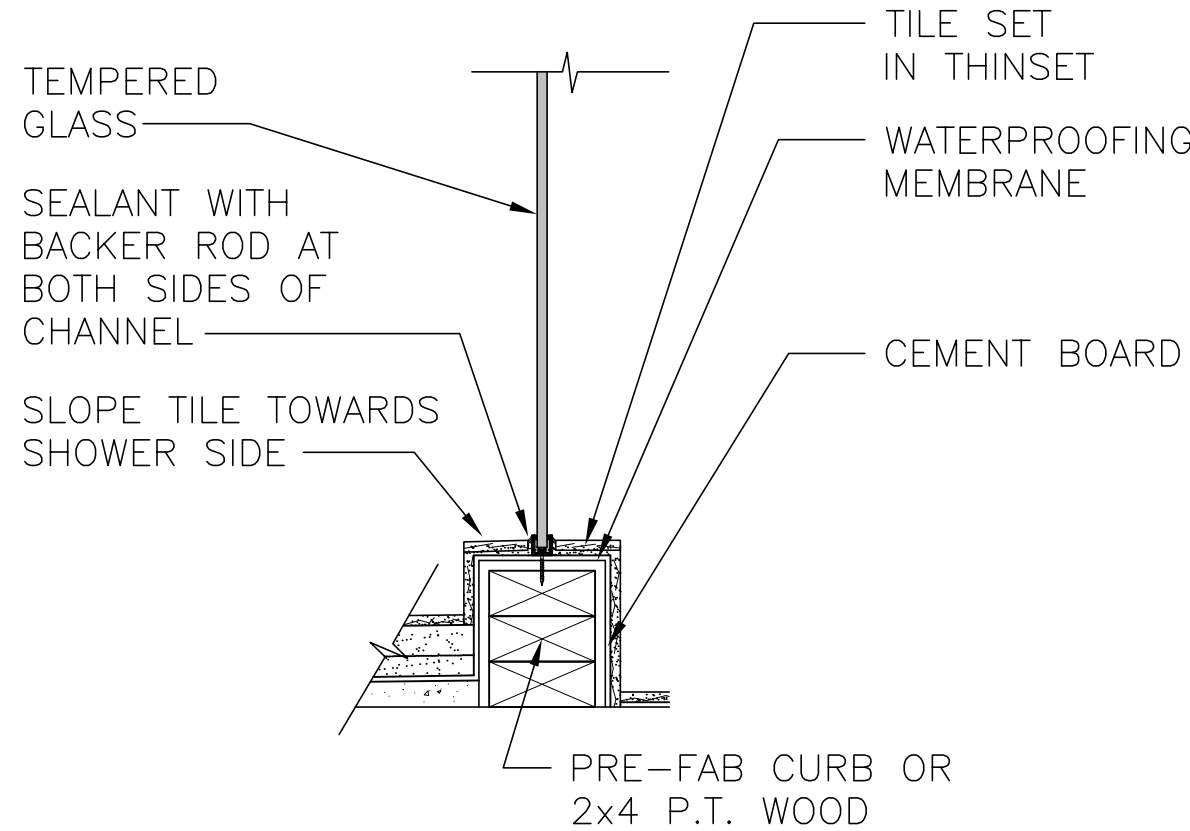
SHEET No.:

A-2

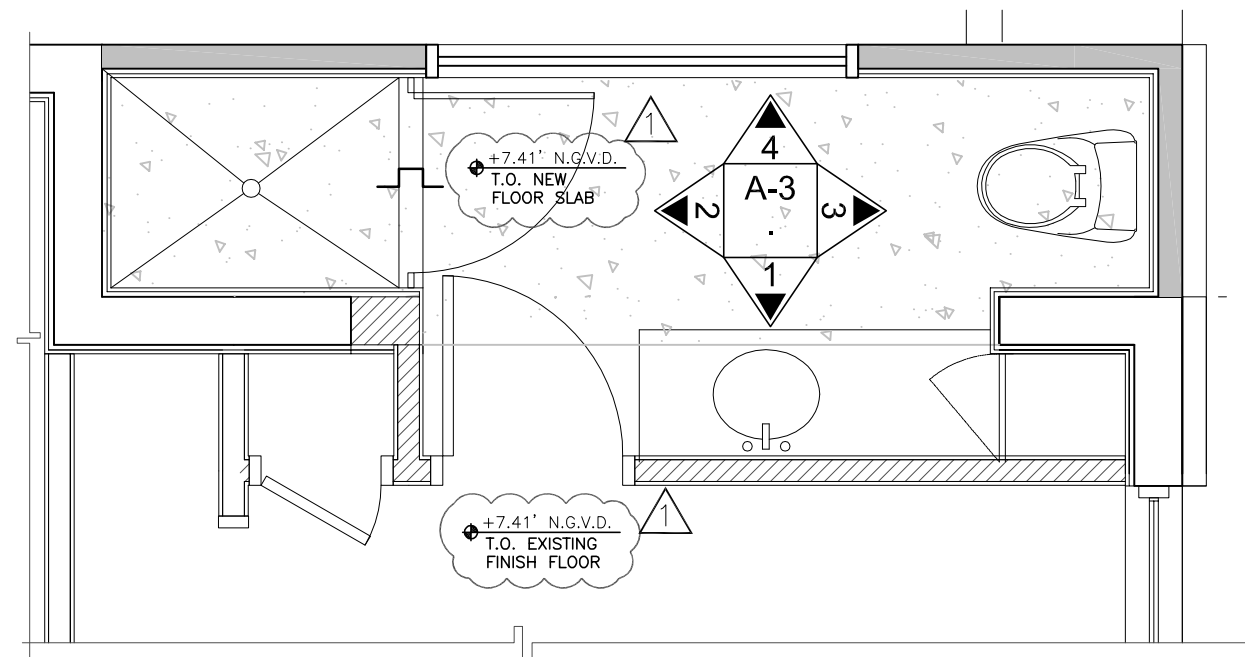
THESE PLANS FOLLOW
2020 FLORIDA BUILDING CODE, 7TH EDITION



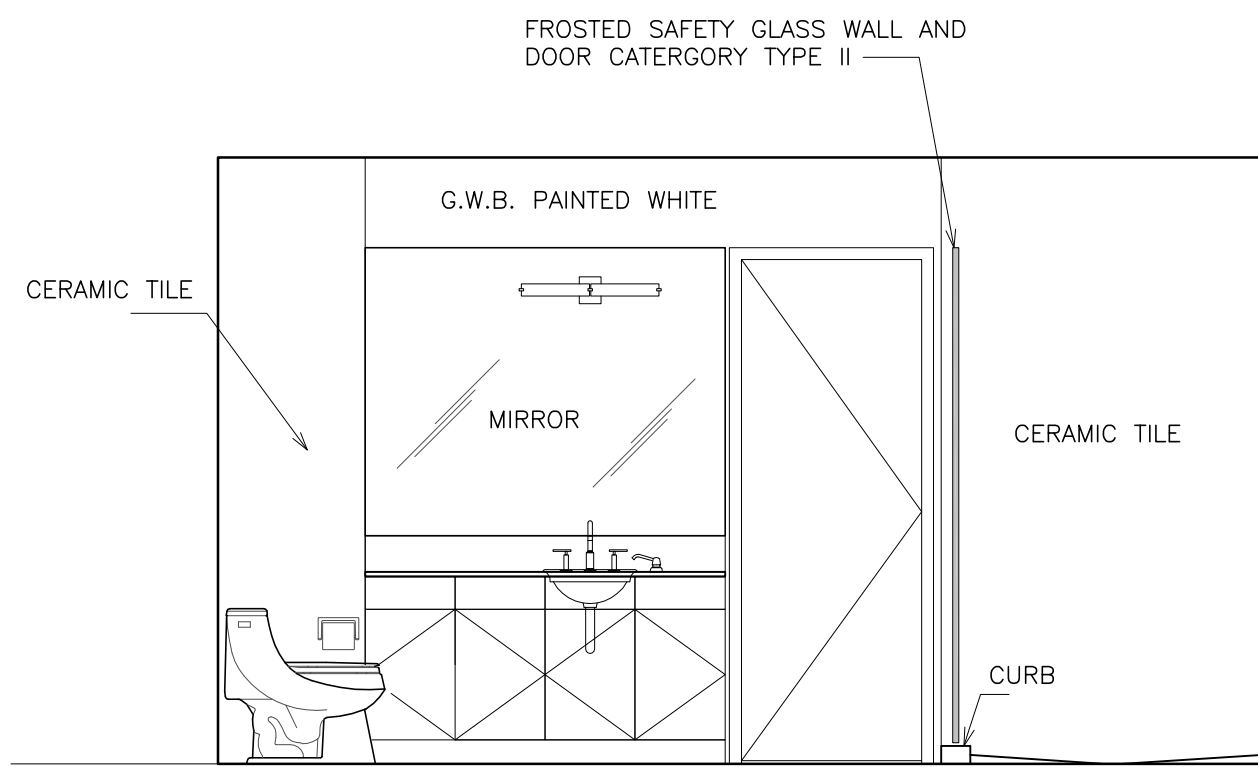
4 SHOWER PAN, CURB DETAIL
SCALE: N.T.S.



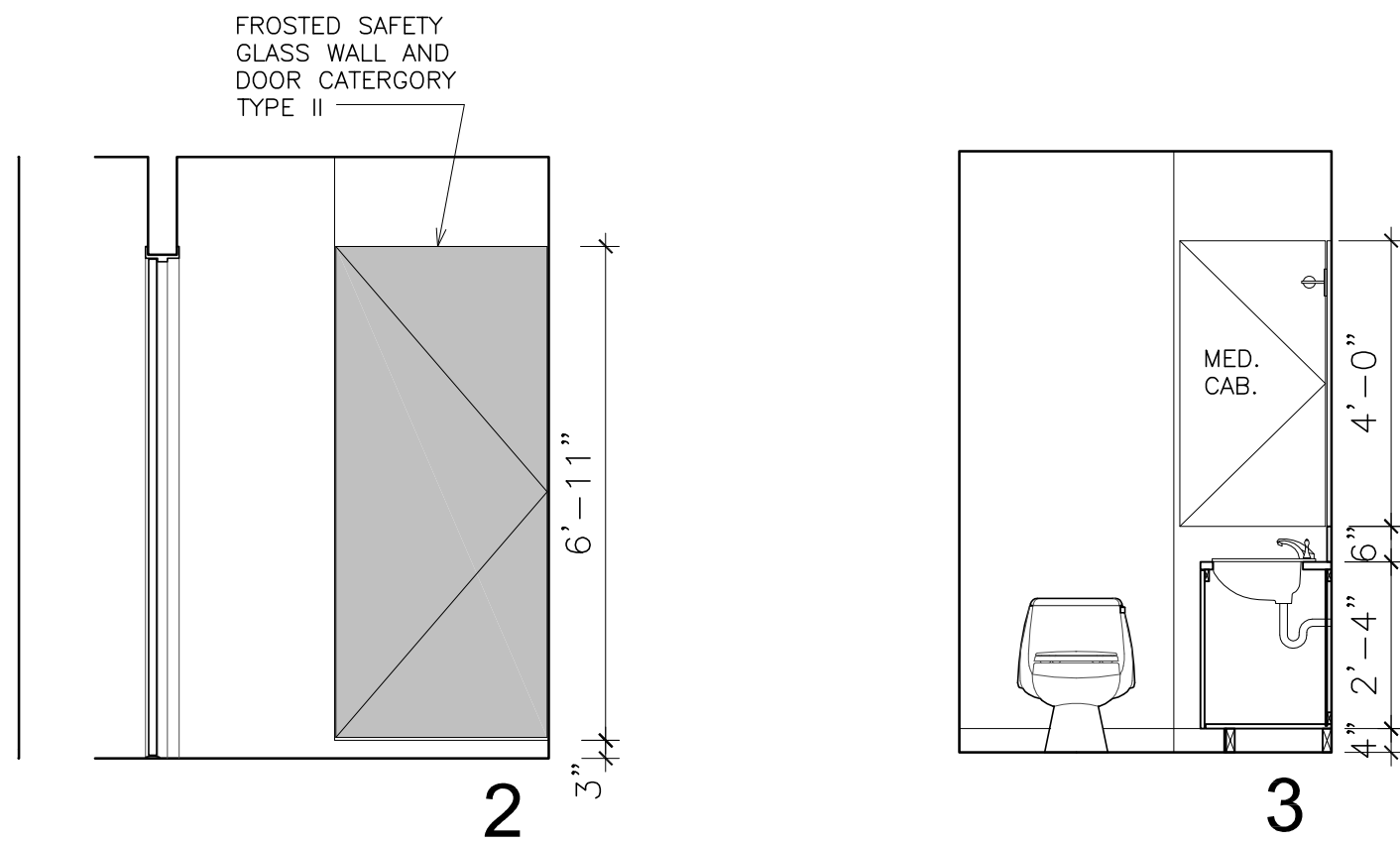
4 SHOWER CURB WITH GLASS
SCALE: N.T.S.



NEW BATHROOM 4 FLOOR PLAN
SCALE: 3/8" = 1'-0"

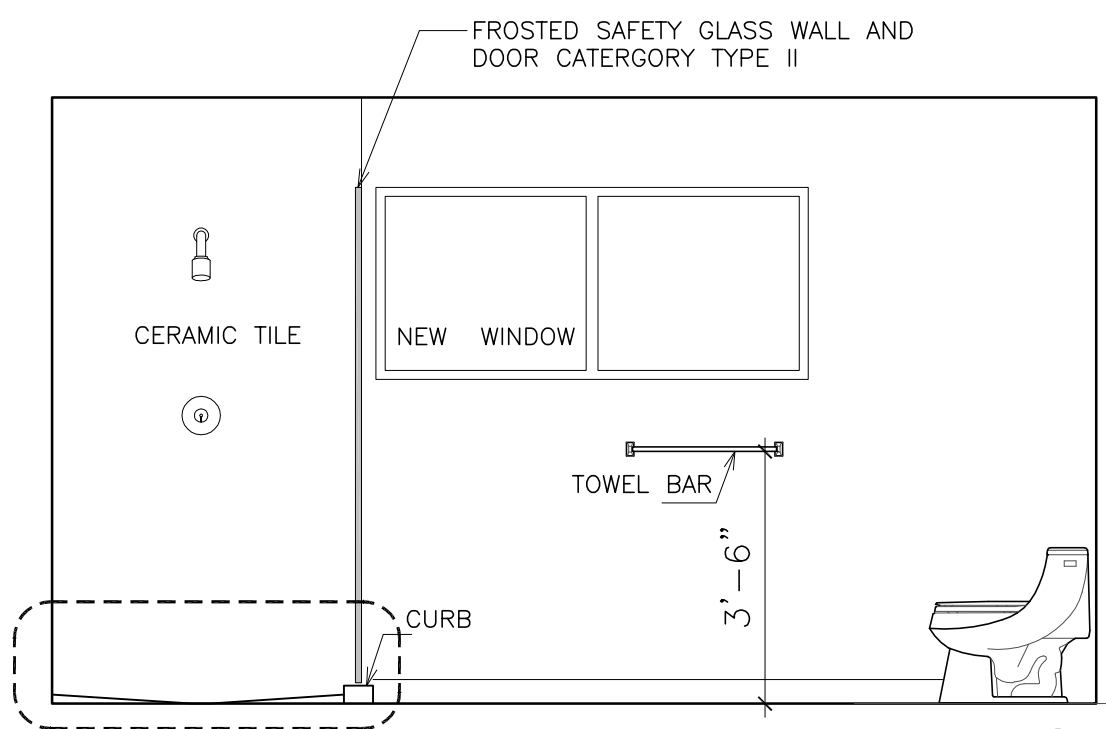


1



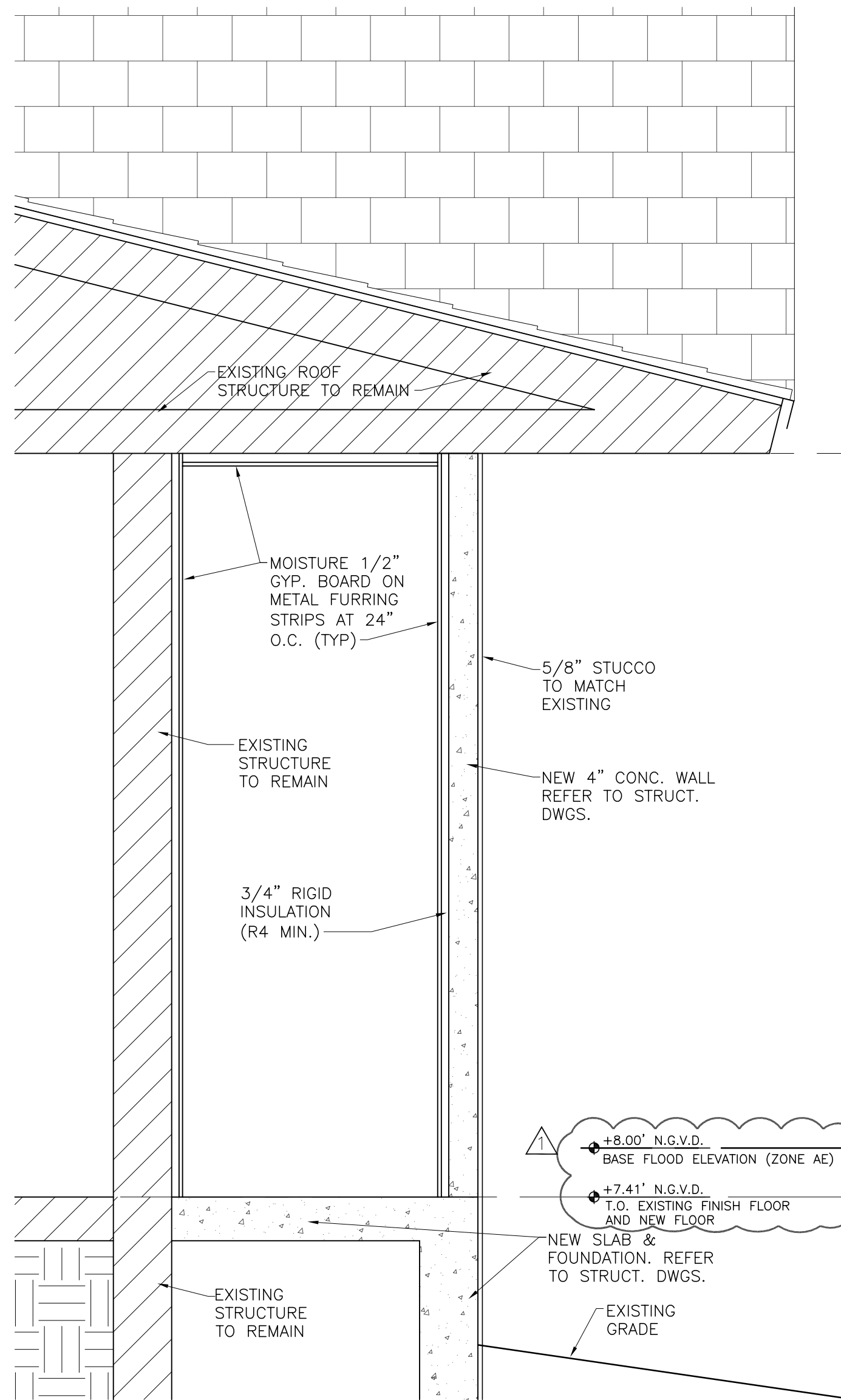
2

3

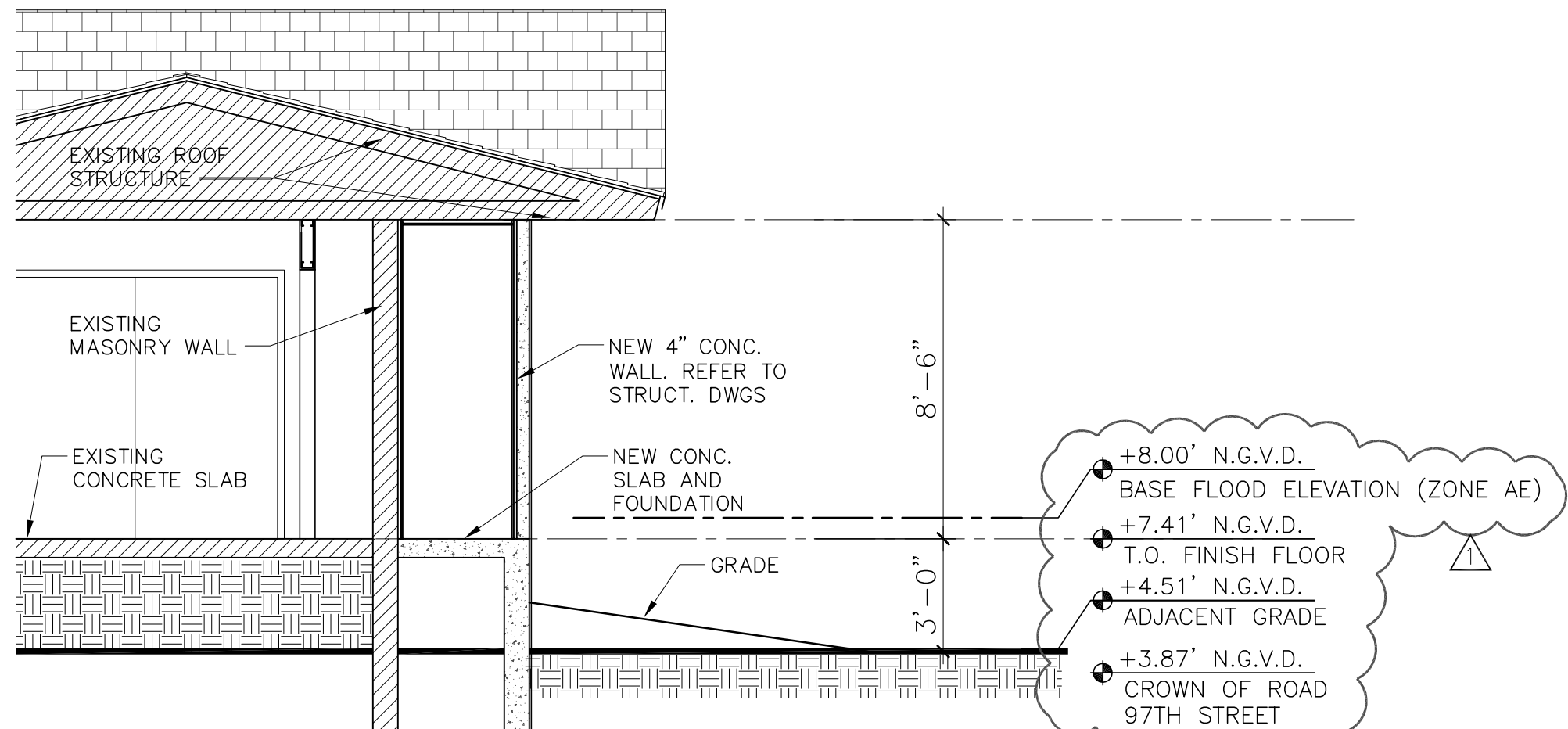


4

3 NEW BATHROOM ELEVATIONS
SCALE: 3/8" = 1'-0"



2 WALL SECTION
SCALE: 3/4" = 1'-0"



1 BUILDING SECTION
SCALE: 1/4" = 1'-0"

THESE PLANS FOLLOW
2020 FLORIDA BUILDING CODE, 7TH EDITION

