



Village of Biscayne Park

Commission Agenda Report

Village Commission Meeting Date: March 1, 2016

Subject: Continued discussion zoning for new construction ("McMansions")

Prepared By: Mayor David Coviello

Sponsored By: Commission

Background

At the December 1st, 2015 commission meeting, the Commission discussed zoning for new construction in the Village. At the meeting, following discussion, there was consensus that the entire Commission do their homework on this and bring the item back at a future meeting.

For the purpose of discussion, attached are the primary development parameters in the Village's existing code.

Attachments

- Section 17.8 Planning and zoning fee schedule

17.8. - Planning and zoning fee schedule.

The fee schedule for all planning, zoning and public hearing applications of the Miami-Dade County Code as adopted by the Village of Biscayne Park.

- (a) The fee schedule for all planning, zoning and public hearing development order applications pursuant to the village's Land Development Code, and pursuant to F.S. § 163.3184, and F.S. § 166.041, (comprehensive plan amendment process) submitted directly to the Village of Biscayne Park shall be in accordance with the fee schedule provided by separate resolution and kept on file in the clerk's office.
- (b) The fee schedule for all planning, zoning and public hearings shall be submitted directly to the Village of Biscayne Park in accordance with the fee schedule provided by separate resolution and kept on file in the clerk's office.
- (c) All checks shall be made payable to the "Village of Biscayne Park."
- (d) All fee schedules established by the village's building department and all other fees other than those described in the resolution kept on file in the clerk's office shall remain in effect in the village until specifically repealed.

17.8.1 *Zoning applications.*

- (a) *Public hearings and administrative modifications.* Every application for a zoning change or other zoning application, where a public hearing is required to be held and for every application where notices and advertisement are required, there shall be paid a minimum fee as set forth in the resolution kept on file in the clerk's office.
- (b) *Revisions to public hearing plans.* Submittal of the first revised plan will be processed at no additional cost to the applicant. Subsequent revisions will be processed at an additional charge as set forth by resolution kept on file in the clerk's office and shall be paid in total at the time of submittal.
Only one (1) fee shall be assessed; should an application involve two (2) or more adjustments of a different category, the greater shall apply.

17.8.2 *General information.*

- (a) *Application fees.* All applications fees shall be paid in total, at the time of filing of an application, and no fee shall be credited or refunded except when adjustment is warranted or deemed necessary due to departmental error. A refund of fifty (50) percent of an original application fee may be refunded upon the withdrawal of an application when the written request for withdrawal is received within thirty (30) days of the date of application.
- (b) *Mailing fees; notices.* In addition to the zoning fees set by separate resolution, items requiring notice shall be assessed a fee for each notice required to be mailed in accordance with the Village's Code. These fees shall be assessed for every occasion on which notices are mailed.

- (c) Processing costs will be charged equal to actual staff time and related costs for matters which involve research, including review of legal agreements. A minimum fee shall be charged.
- (d) *Preparation of special studies or reports.* For special studies or reports that are not prepared as part of the regular work program of the village and are found by the village to be necessary to prepare recommendations related to planning and zoning applications, the applicant shall pay the actual cost incurred for any such required professional services. Specifically, the village shall charge the applicant the direct cost of review by employed/hired consultants and professionals, engineers, planners, legal, technical or environmental consultants deemed reasonably necessary by the village to review any application. Charges shall be in accord with the hourly rate charges by such employed professionals or consultants. The applicant shall reimburse the village for the cost of such upon submission of an invoice within thirty (30) days. Failure to make payment shall result in a discontinuance of review/processing of an application; or rescinding of the final development order for failure to comply with a material condition to the approval.
- (e) *Re-advertisement and re-notification for deferred or remanded hearing applications.* For each and every zoning hearing application that is deferred or remanded to a date not yet advertised, a fee shall be paid based on the actual cost of re-advertisement and re-notification.
- (f) *Late payment charges on unpaid amounts.* Billing covered by contracts, agreements or other formal arrangements for services rendered by the department are due within forty-five (45) days from the date of the invoice. Full payment of the account balance must be received by the past due date set forth on the invoice. A monthly late payment charge will be assessed on any outstanding balance at the rate of ten (10) percent thereafter, until payment is received in full.

(Ord. No. 2015-02, § 3, 5-5-15)

TABLE A RESIDENTIAL SECTORS

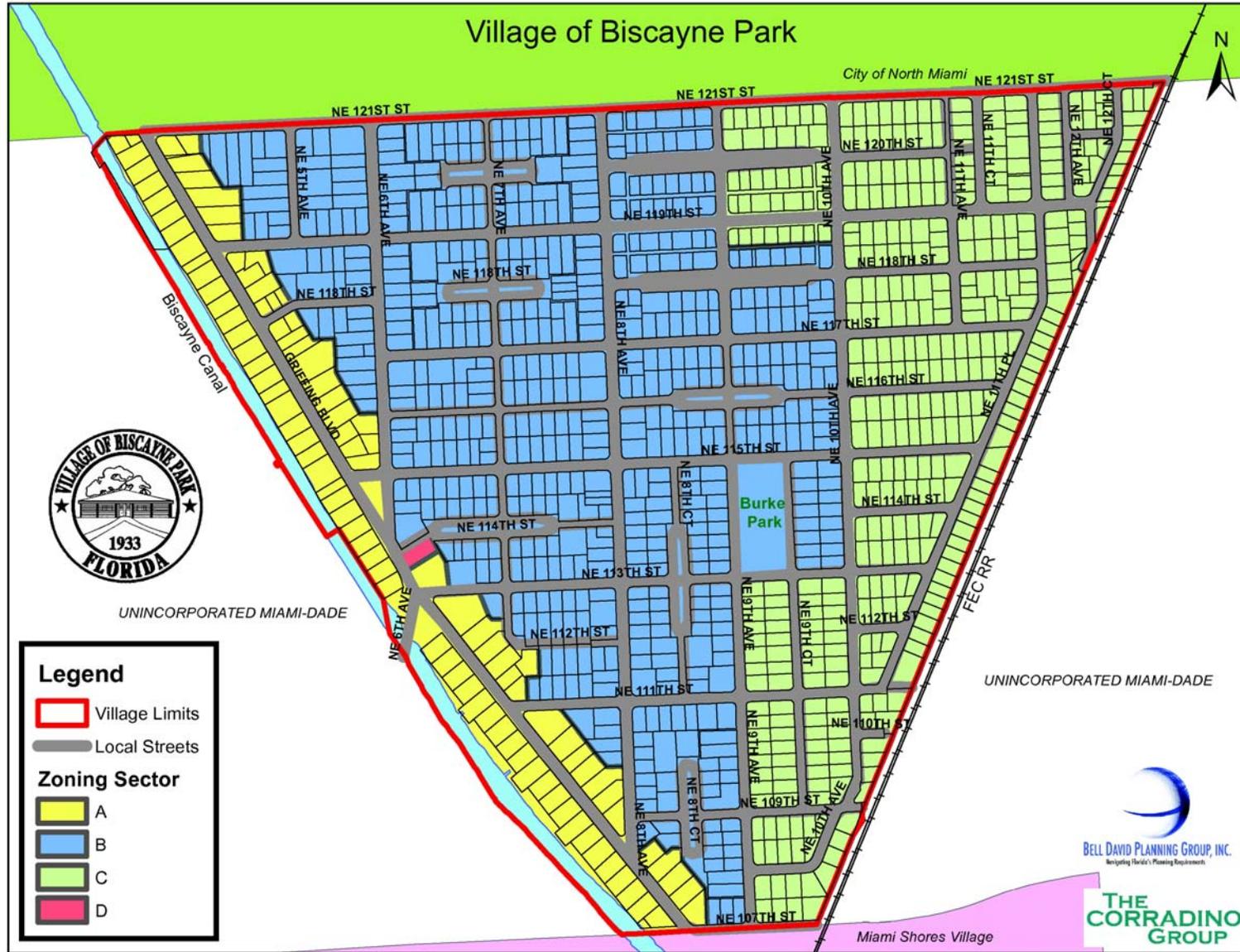
Regulations	RESIDENTIAL SECTORS			
	A	B	C	D
Density (Dwelling units per gross acre ¹)	= <2.0	<u>2.1</u> —6.0	<u>2.1</u> —6.0	<u>2.1</u> —6.0
Minimum lot size (square feet ²)	8,500	8,500	6,000	8,500
Dwelling type allowed	Detached one-family	Detached one-family	Detached one-family, two-family ⁴	Detached community res. home

Minimum dwelling size (gross horizontal floor area, square feet)	1,900	1,400	(a) 1,400 (b) 2,000	1,400
Maximum lot coverage (percent)	50	50	50	50
Maximum dwelling units per single lot	1	1	1	1
Maximum building height (stories)	2	2	2	2
Minimum setbacks (feet):				
Street property line	50	30 ³	30	30
Rear	10	10	10	10
Sides	10	10	10	10

Notes:

- ¹ Gross acre is the lot area plus half the width of the adjacent road.
- ² And in any case not less than the area of any lot of record.
- ³ Except north side of 116th Street between 6th Avenue to 8th Avenue where the present setback shall be maintained; except on all 60-foot lots facing NE 9th Avenue between 118th Street and 120th Street where the setback shall be 20 feet from the NE 9th Avenue property line and said lots shall be subject to existing setback requirements of the streets on which they abut.
- ⁴ Two-family or duplex dwellings are prohibited on lots with a frontage of fifty (50) feet or less.

(Ord. No. 2015-02, § 3, 5-5-15)



Residential Sectors Illustration