

MIAMI BEACH

PLANNING DEPARTMENT

1700 Convention Center Drive, Miami Beach, Florida 33139; Tel: 305.673.7550; Web: www.miamibeachfl.gov/planning

LAND USE BOARD HEARING APPLICATION

The following application is submitted for review and consideration of the project described herein by the land use board selected below. A separate application must be completed for each board reviewing the proposed project.

Application Information			
FILE NUMBER DRB18-0309			
<input type="radio"/> Board of Adjustment <input type="checkbox"/> Variance from a provision of the Land Development Regulations <input type="checkbox"/> Appeal of an administrative decision		<input checked="" type="radio"/> Design Review Board <input checked="" type="checkbox"/> Design review approval <input type="checkbox"/> Variance	
<input type="radio"/> Planning Board <input type="checkbox"/> Conditional use permit <input type="checkbox"/> Lot split approval <input type="checkbox"/> Amendment to the Land Development Regulations or zoning map <input type="checkbox"/> Amendment to the Comprehensive Plan or future land use map		<input type="radio"/> Historic Preservation Board <input type="checkbox"/> Certificate of Appropriateness for design <input type="checkbox"/> Certificate of Appropriateness for demolition <input type="checkbox"/> Historic district/site designation <input type="checkbox"/> Variance	
<input type="checkbox"/> Other:			
Property Information – Please attach Legal Description as “Exhibit A”			
ADDRESS OF PROPERTY 5860 North Bay Road, Miami Beach, Florida 33140			
FOLIO NUMBER(S) 02-3215-003-0220			
Property Owner Information			
PROPERTY OWNER NAME Ambassa Holdings, Inc. c/o Christian De Berdouare			
ADDRESS 10800 Biscayne Blvd., #820		CITY North Miami	STATE Florida
BUSINESS PHONE		CELL PHONE	EMAIL ADDRESS chickenlogist@gmail.com
Applicant Information (if different than owner)			
APPLICANT NAME			
ADDRESS		CITY	STATE
BUSINESS PHONE		CELL PHONE	EMAIL ADDRESS
Summary of Request			
PROVIDE A BRIEF SCOPE OF REQUEST Design Review Approval for new single-family home to replace pre-1942 home.			

Project Information			
Is there an existing building(s) on the site?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the project include interior or exterior demolition?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Provide the total floor area of the new construction.			SQ. FT.
Provide the gross floor area of the new construction (including required parking and all usable area).			SQ. FT.
Party responsible for project design			
NAME		<input type="checkbox"/> Architect <input type="checkbox"/> Contractor <input type="checkbox"/> Landscape Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Tenant <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	
Authorized Representative(s) Information (if applicable)			
NAME Michael J. Marrero		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 South Biscayne Blvd., Suite 850		CITY Miami	STATE Florida ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS mmarrero@brzoninglaw.com	
NAME Emily Balter		<input checked="" type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS 200 South Biscayne Blvd., Suite 850		CITY Miami	STATE Florida ZIPCODE 33131
BUSINESS PHONE (305) 374-5300	CELL PHONE	EMAIL ADDRESS ebalter@brzoninglaw.com	
NAME		<input type="checkbox"/> Attorney <input type="checkbox"/> Contact <input type="checkbox"/> Agent <input type="checkbox"/> Other _____	
ADDRESS		CITY	STATE ZIPCODE
BUSINESS PHONE	CELL PHONE	EMAIL ADDRESS	

Please note the following information:

- A separate disclosure of interest form must be submitted with this application if the applicant or owner is a corporation, partnership, limited partnership or trustee.
- All applicable affidavits must be completed and the property owner must complete and sign the "Power of Attorney" portion of the affidavit if they will not be present at the hearing, or if other persons are speaking on their behalf.
- To request this material in alternate format, sign language interpreter (five-day notice is required), information on access for persons with disabilities, and accommodation to review any document or participate in any City sponsored proceedings, call 305.604.2489 and select (1) for English or (2) for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Please read the following and acknowledge below:

- Applications for any board hearing(s) will not be accepted without payment of the required fees. All checks are to be made payable to the "City of Miami Beach".
- Public records notice – All documentation submitted for this application is considered a public record subject to Chapter 119 of the Florida Statutes and shall be disclosed upon request.
- In accordance with the requirements of Section 2-482 of the code of the City of Miami Beach, any individual or group that will be compensated to speak or refrain from speaking in favor or against an application being presented before any of the City's land use boards, shall fully disclose, prior to the public hearing, that they have been, or will be compensated. Such parties include: architects, engineers, landscape architects, contractors, or other persons responsible for project design, as well as authorized representatives attorneys or agents and contact persons who are representing or appearing on behalf of a third party; such individuals must register with the City Clerk prior to the hearing.
- In accordance with Section 118-31. – Disclosure Requirement. Each person or entity requesting approval, relief or other action from the Planning Board, Design Review Board, Historic Preservation Board or the Board of Adjustment shall disclose, at the commencement (or continuance) of the public hearing(s), any consideration provided or committed, directly or on its behalf, for an agreement to support or withhold objection to the requested approval, relief or action, excluding from this requirement consideration for legal or design professional service rendered or to be rendered. The disclosure shall: (I) be in writing, (II) indicate to whom the consideration has been provided or committed, (III) generally describe the nature of the consideration, and (IV) be read into the record by the requesting person or entity prior to submission to the secretary/clerk of the respective board. Upon determination by the applicable board that the foregoing disclosure requirement was not timely satisfied by the person or entity requesting approval, relief or other action as provided above, then (I) the application or order, as applicable, shall immediately be deemed null and void without further force or effect, and (II) no application form said person or entity for the subject property shall be reviewed or considered by the applicable board(s) until expiration of a period of one year after the nullification of the application or order. It shall be unlawful to employ any device, scheme or artifice to circumvent the disclosure requirements of this section and such circumvention shall be deemed a violation of the disclosure requirements of this section.
- When the applicable board reaches a decision a final order will be issued stating the board's decision and any conditions imposed therein. The final order will be recorded with the Miami-Dade Clerk of Courts. The original board order shall remain on file with the City of Miami Beach Planning Department. Under no circumstances will a building permit be issued by the City of Miami Beach without a copy of the recorded final order being included and made a part of the plans submitted for a building permit.

The aforementioned is acknowledged by:

☐ Owner of the subject property ☒ Authorized representative

SIGNATURE

Michael J. Marrero

PRINT NAME

7/13/18

DATE SIGNED

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

STATE OF _____

COUNTY OF _____

I, _____, being first duly sworn, depose and certify as follows: (1) I am the owner of the property that is the subject of this application. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (3) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (4) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (5) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this _____ day of _____, 20____. The foregoing instrument was acknowledged before me by _____, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

NOTARY PUBLIC

My Commission Expires: _____

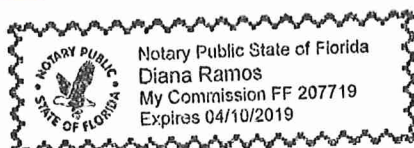
PRINT NAME**ALTERNATE OWNER AFFIDAVIT FOR CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY**STATE OF FloridaCOUNTY OF Miami Dade

I, Christian de Berdouare, being first duly sworn, depose and certify as follows: (1) I am the owner (print title) of Ambassa Holdings, Inc. (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (7) I am responsible for remove this notice after the date of the hearing.

SIGNATURE

Sworn to and subscribed before me this 13 day of July, 2018. The foregoing instrument was acknowledged before me by C. de Berdouare, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

**NOTARY PUBLIC**My Commission Expires: 4/10/19Diana Ramos**PRINT NAME**

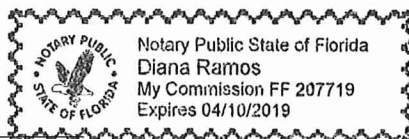
POWER OF ATTORNEY AFFIDAVITSTATE OF FloridaCOUNTY OF Miami Dade

I, Christian de Berdouare, being first duly sworn, depose and certify as follows: (1) I am the owner or representative of the owner of the real property that is the subject of this application. (2) I hereby authorize Michael J. Marrero to be my representative before the Design Review Board. (3) I also hereby authorize the City of Miami Beach to enter my property for the sole purpose of posting a Notice of Public Hearing on my property, as required by law. (4) I am responsible for remove this notice after the date of the hearing.

Christian de Berdouare**PRINT NAME (and Title, if applicable)****SIGNATURE**

Sworn to and subscribed before me this 13 day of July, 2018. The foregoing instrument was acknowledged before me by C. de Berdouare, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 4/10/19**NOTARY PUBLIC**Diana Ramos**PRINT NAME****CONTRACT FOR PURCHASE**

If the applicant is not the owner of the property, but the applicant is a party to a contract to purchase the property, whether or not such contract is contingent on this application, the applicant shall list the names of the contract purchasers below, including any and all principal officers, stockholders, beneficiaries or partners. If any of the contact purchasers are corporations, partnerships, limited liability companies, trusts, or other corporate entities, the applicant shall further disclose the identity of the individuals(s) (natural persons) having the ultimate ownership interest in the entity. If any contingency clause or contract terms involve additional individuals, corporations, partnerships, limited liability companies, trusts, or other corporate entities, list all individuals and/or corporate entities.

NAME**DATE OF CONTRACT**

NAME, ADDRESS AND OFFICE

% OF STOCK

In the event of any changes of ownership or changes in contracts for purchase, subsequent to the date that this application is filed, but prior to the date of a final public hearing, the applicant shall file a supplemental disclosure of interest.

DISCLOSURE OF INTEREST
CORPORATION, PARTNERSHIP OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership or limited liability company, list ALL of the owners, shareholders, partners, managers and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

Ambassa Holdings, Inc.

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP
Christian de Berdouare	50%
5750 N. Bay Road	
Miami Beach, FL 33140	
Jennifer Valoppi	50%
5750 N. Bay Road	
Miami Beach, FL 33140	

NAME OF CORPORATE ENTITY

NAME AND ADDRESS	% OF OWNERSHIP

If there are additional corporate owners, list such owners, including corporate name and the name, address and percentage of ownership of each additional owner, on a separate page.

DISCLOSURE OF INTEREST
TRUSTEE

If the property that is the subject of the application is owned or leased by a trust, list any and all trustees and beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.

TRUST NAME	
NAME AND ADDRESS	% INTEREST

COMPENSATED LOBBYIST

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

NAME	ADDRESS	PHONE
Michael J. Marrero, Esq.	200 South Biscayne Blvd., Suite 850, Miami, FL :	(305) 374-5300
Emily Balter, Esq.	200 South Biscayne Blvd., Suite 850, Miami, FL :	(305) 374-5300
David Mahoney	319 Clematis Street Suite 914 West Palm Beach, FL 33401	(561) 653-8279

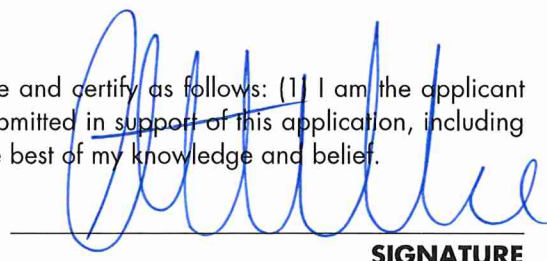
Additional names can be placed on a separate page attached to this application.

APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) AN APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE AND FEDERAL LAWS.

APPLICANT AFFIDAVIT

STATE OF Florida
COUNTY OF Miami Dade

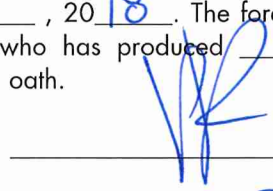
I, Christian de Berdouare, being first duly sworn, depose and certify as follows: (1) I am the applicant or representative of the applicant. (2) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief.

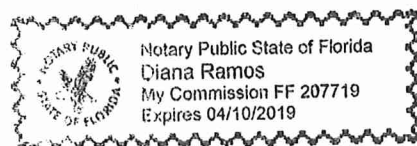

SIGNATURE

Sworn to and subscribed before me this 13 day of July, 2018. The foregoing instrument was acknowledged before me by C. de Berdouare, who has produced _____ as identification and/or is personally known to me and who did/did not take an oath.

NOTARY SEAL OR STAMP

My Commission Expires: 4/10/19


NOTARY PUBLIC
Diana Ramos
PRINT NAME



Legal Description

Exhibit "A"

Parcel A:

Lot 25, in Block 1-A or LA GORCE GOLF SUBDIVISION, according to the plat thereof, recorded in Plat Book 14, at Page 43, of the Public Records of Miami-Dade County, Florida.

Parcel B:

Commence at the Northeast corner of Lot 25, Block 1-A, LA GORCE GOLF SUBDIVISION, according to the Plat thereof, recorded in Plat Book 14, at Page 43, or the Public Records of Miami-Dade County, Florida; thence Northwesterly along the Northeasterly line of the aforesaid Lot 25, a distance of 193.5 feet to a point of beginning of tract of land hereinafter described; thence Northerly 54.9 feet more or less to a point on the Southwesterly line of Tract A of Subdivision of Lot 24, Block 1, LA GORCE GOLF SUBDIVISION, according to the Plat thereof recorded in Plat Book 38, at Page 67 of the Public Records of Miami-Dade County, Florida, said point being 215.1 feet Northwesterly from the Southeast corner of the aforesaid Tract A; thence Northwesterly along the Southwesterly line of aforesaid Tract A, a distance of 30 feet more or less to the water's edge of Biscayne Bay; thence Southerly meandering the water's edge of Biscayne 54.9 feet more or less to point of intersection with the Northeasterly line of Lot 25, Block 1-A, LA GORCE GOLF SUBDIVISION, according to the Plat thereof, recorded in Plat Book 14, at Page 43, of the Public Records of Miami-Dade County, Florida; thence Southeasterly along the Northeasterly line of aforesaid Lot 25, a distance of 30 feet more or less to the point of beginning.



BERCOW RADELL FERNANDEZ & LARKIN

ZONING, LAND USE AND ENVIRONMENTAL LAW

DIRECT LINE: (305) 377-6238
E-Mail: MMarrero@brzoninglaw.com

VIA ELECTRONIC SUBMITTAL AND HAND DELIVERY

March 8, 2019

James G. Murphy, Chief of Urban Design
Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

Re: REVISED DRB18-0309 Design Review Approval, Variance and Waivers for the Property Located at 5860 North Bay Road, Miami Beach, Florida

Dear Mr. Murphy:

This law firm represents Ambassa Holdings, Inc., (the "Applicant") the owner of the property located at 5860 North Bay Road (the "Property") in Miami Beach (the "City"). Please allow this updated letter to serve as the required letter of intent in connection with a request to the Design Review Board ("DRB") for design approval, three (3) design waivers and one (1) variance of a single-family home on the Property.

Property Description. The Property is located west of North Bay Road and fronts Biscayne Bay. Miami-Dade County Property Appraiser identifies the Property with Folio No. 02-3215-003-0220. The irregularly-shaped, waterfront lot is comprised of approximately 28,687 square feet in size. The Property is in the RS-2, Single-Family Residential Zoning District and is currently vacant.

Proposed Development. The Applicant proposes to construct an intricately-designed two-story residence. The front façade will feature a custom black granite entry way between two stunning water features. The visually impressive front entrance is setback front the front façade, creating a courtyard area that is open to the sky and surrounded on three (3) sides. The front yard is designed with spaced pavers and pervious landscaping between and an enclosed garage space. The garage entrance will be perpendicular to the right of way, as is the preferred design. A pool and barbeque

area will be located in the rear yard. The massing and scale of the home will be softened with lush landscaping, a green wall, and garden areas in the north and south side yards.

The proposed new home complies with the City of Miami Beach Code (the "Code") requirement for unit size. The total unit size of the proposed home is approximately 13,188 square feet approximately 45% of the lot size, which is significantly below the allowable 50% unit size limit. The interior of the home is also well within the maximum lot coverage permitted at approximately 29.33%, where 30% is permitted. Lastly, the height of the home is 28', which is the maximum permitted height for a flat roof in the RS-2 zoning district. The home is also well within all required setbacks. The intent of the Code is substantially addressed with the proposed design. It is due to the Property's sloped elevation and irregular shape of the dual-frontage lot that certain minimal design waivers and a variance are necessary.

Waiver Requests. The Applicant respectfully requests DRB approval of the following waivers:

1. Code Section 142-106(2)(d), to waive the open to sky from grade requirement for additional open space of a two-story north and south side elevations located parallel to a side property line exceeding 50% of the lot depth or 60 feet.
2. Code Section 142-105(b)(4)c., to permit 105% second floor volume where 70% maximum is permissible.

The intent of the Code is to reduce the scale and massing of the second story portion of homes against the neighboring properties. The proposed design, within an irregular waterfront lot, adequately addresses the intent of the Code. The slightly larger rear yard and the liberal setbacks reduce the scale and massing of the home along the property lines.

Both side yards contain garden areas and lush landscaping, and the north side yard will break up the massing of the home with an intricate water feature that is approximately 25'-4" wide. However, due to the water feature, it does not satisfy the Code's requirement that the open space be from grade. Additionally, the south side yard contains a 7' separation between the main home and the garage portion. Within the separation is a staircase to the wrap-around second floor balcony. The staircase on the south and water feature on the north are extremely unique design features that address the intent of the Code and still provide a break in the massing of the home. Therefore, there are a number of architectural articulations that serve as breaks in the elevations along the abutting property lines.

With regard to the second waiver request, the main home complies with maximum permitted unit size and height. If it were not for the impressive water feature in the front of the home, the lot overage would be below 25% and the 70% limitation would not be required. The front water feature pushes the majority of the massing away from the public right of way and softens the curb appeal of the home. Even considering the lot coverage of the water feature the overall home is still within the maximum permitted lot coverage of 30%. Therefore, the entire design significantly reduces the size of the home and matches the character of the neighborhood. The intent of the Code will be accomplished in the proposed design.

Variance Request. The Applicant's proposal substantially complies with the single-family home regulations, including unit size and lot coverage. The variance requested is minor and does not contradict the intent of the Code. In order to fully realize its development and due to the Property's confining characteristics, the Applicant requests the following variance:

1. A variance of Code Section Sec. 142-1132(a)(2)f., to permit one-story accessory structure in the rear yard at 15' when 12' is permitted;

Satisfaction of Hardship Criteria. The Applicant's requests satisfy all hardship criteria as follows:

- (1) Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;**

The Property is located on an irregularly-shaped lot that, as a waterfront lot, essentially has dual frontages. This creates a challenge in laying out the home. The design of the home must take into consideration view from the waterway, as well as provide an evenly laid out home. The existing elevations of the Property vary greatly from the front to the rear. Accommodating for sea level rise and providing a unified home, there is an approximately 2' difference between the front and rear of the home. This change in height results in the accessory structure located in the rear of the home also requiring the minimal additional 3' of height. Pursuant to the Code, a 20' two-story accessory structure is permitted. However, the Applicant is not proposing such an onerous structure in the rear yard. The minimal additional height is necessary to be consistent with the elevation of main home due to the dual frontages and change in elevations.

- (2) The special conditions and circumstances do not result from the action of the applicant;**

The Property's irregularly-shaped lot, dual frontages, and sloped elevations are existing conditions and do not result from the action of the Applicant.

- (3) Granting the variance requested will not confer on the applicant any special privilege that is denied by these land development regulations to other lands, buildings, or structures in the same zoning district;**

Most of the surrounding waterfront lots are irregularly-shaped with varying elevations. Granting the requested variances will enable the Applicant to construct the proposed accessory structure while allowing for the addition of certain associated amenities that are sufficiently spaced from the main structure. The Code allows other similarly situated property owners to seek similar variances to accommodate development and allow for the construction of certain features, especially on irregular lots with dual frontages. Further, the Code permits a 20' two-story accessory structure. This would permit be an additional 5' than what is proposed for the 15', one-story structure. The proposed variance does not confer a special privilege on the Applicant.

- (4) Literal interpretation of the provisions of these land development regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these land development regulations and would work unnecessary and undue hardship on the applicant;**

A literal interpretation of the provisions of these land development regulations would deprive the Applicant of the right to build what is enjoyed by other properties and would be an unnecessary and undue hardship on the Applicant. Per the Code, two-story accessory structures can be constructed at a height of 20'. The Applicant is proposing a much lower structure at 15'. The variance is requested in order to effectuate the development of the proposed structure without having such an impact as 20' would. The additional 3' of height is necessary due to the varying elevations of the lot. A lower structure would be peculiar when viewing the property from the waterway and disturb the interaction and enjoyment of the pool area. The certain integral design elements still maintains the intent of the Code. Overall, the new home, including the accessory structure, minimizes the scale and massing from impacting the abutting neighbors.

- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;**

The variance requested is the minimum required necessary to accommodate reasonable use of the home. The additional 3' of the one-story accessory structure is necessary to conform with the height of the main home and changes in elevation.

- (6) The granting of the variance will be in harmony with the general intent and purpose of these land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare; and**

The residence will be in harmony with the surrounding properties, and aims to further the intent and purpose of the land development regulations. The modest variance request does not increase the scale and massing of the home. In fact, an additional 5' of height would be permitted if the accessory structure was two-stories, rather than a more modest one-story. The home will be centrally located and the architectural design is sensitive to the neighbors.

- (7) The granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan. The planning and zoning director may require applicants to submit documentation to support this requirement prior to the scheduling of a public hearing or any time prior to the board of adjustment voting on the applicant's request.**

The variance request is consistent with the City's comprehensive plan and does not reduce the levels of service as set forth in the plan.

Practical Difficulty. The irregular-shaped, mid-block, and waterfront lot with varying elevations represent practical difficulties inhibiting the Applicant from meeting all Code requirements. Further, the Code otherwise allows for a 20' high accessory structure. The proposed accessory structure is 5' lower than what would be permitted. The additional 3' ensure that the accessory structure is in line with the first-floor of the main home for a cohesive waterfront rear yard. The variance request is a necessary, modest requests due to the characterizes of the lot. The Applicant's proposal satisfies the intent and purposes of the Code to provide a well-designed home that is centrally located on the lot and sensitive to the dual-frontages as well as the neighbors.

Sea Level Rise and Resiliency Criteria. The proposed project advances the sea level rise and resiliency criteria in Section 133-50(a) as follows:

- (1) A recycling or salvage plan for partial or total demolition shall be provided.**

The Applicant will provide a recycling or salvage plan during permitting.

- (2) Windows that are proposed to be replaced shall be hurricane proof impact windows.**

Windows will be hurricane-impact.

- (3) Where feasible and appropriate, passive cooling systems, such as operable windows, shall be provided.**

Operable windows will be provided.

- (4) Whether resilient landscaping (salt tolerant, highly water-absorbent, native or Florida friendly plants) will be provided.**

The Applicant's proposed landscape plan is resilient as it will serve to be comprised of native and Florida-friendly plants that are appropriate for the area.

- (5) Whether adopted sea level rise projections in the Southeast Florida Regional Climate Action Plan, as may be revised from time-to-time by the Southeast Florida Regional Climate Change Compact, including a study of land elevation and elevation of surrounding properties were considered.**

The Applicant proposes the new structure to have a finished floor elevation at 9' NGVD, 1' above the Base Floor Elevations (BFE).

- (6) The ground floor, driveways, and garage ramping for new construction shall be adaptable to the raising of public rights-of-ways and adjacent land.**

The Applicant proposes a finished floor elevation of 9' NGVD, with appropriate ramping from the street to the parking area and entrance to the home that will be compatible to future raising of public right-of-ways and adjacent land.

- (7) Where feasible and appropriate. All critical mechanical and electrical systems are located above base flood elevation.**

All critical mechanical and electrical systems will be located above BFE.

- (8) **Existing buildings shall be, where reasonably feasible and appropriate, elevated to the base flood elevation.**

Not applicable as Applicant proposes a new replacement home at BFE +1'.

- (9) **When habitable space is located below the base flood elevation plus City of Miami Beach Freeboard, wet or dry flood proofing systems will be provided in accordance with Chapter of 54 of the City Code.**

No habitable space is located below BFE.

- (10) **Where feasible and appropriate, water retention systems shall be provided.**

The Applicant has engaged the services of an engineer to analyze and provide an appropriate drainage plan for the Property. Accordingly, a water retention system will be implemented.

Conclusion. Granting this design review application with the related waivers and variance will permit the development of a beautifully-designed, modern single-family home that is compatible with the surrounding neighborhood. We look forward to your favorable review of the application. If you have any questions or comments in the interim, please give me a call at 305-377-6238.

Sincerely,



Mickey Marrero

cc: Emily K. Balter



rdr miami | public hearing notification services

certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting
rdrmiami.com | diana@rdrmiami.com | 305.498.1614

March 5, 2019

City of Miami Beach
Planning Department
1700 Convention Center Dr.
Miami Beach, FL 33139

Re: Property owners within 375 feet of:

SUBJECT: 5860 N Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3215-003-0220

LEGAL DESCRIPTION: 10-22-11 53 42 LA GORCE GOLF SUB PB 14-43 LOT 25 & END OF WEST 59 ST AT BISC BAY BLK 1 A

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 375 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on file in the Miami-Dade County Property Appraisers' Office.

Sincerely,

Diana B. Rio

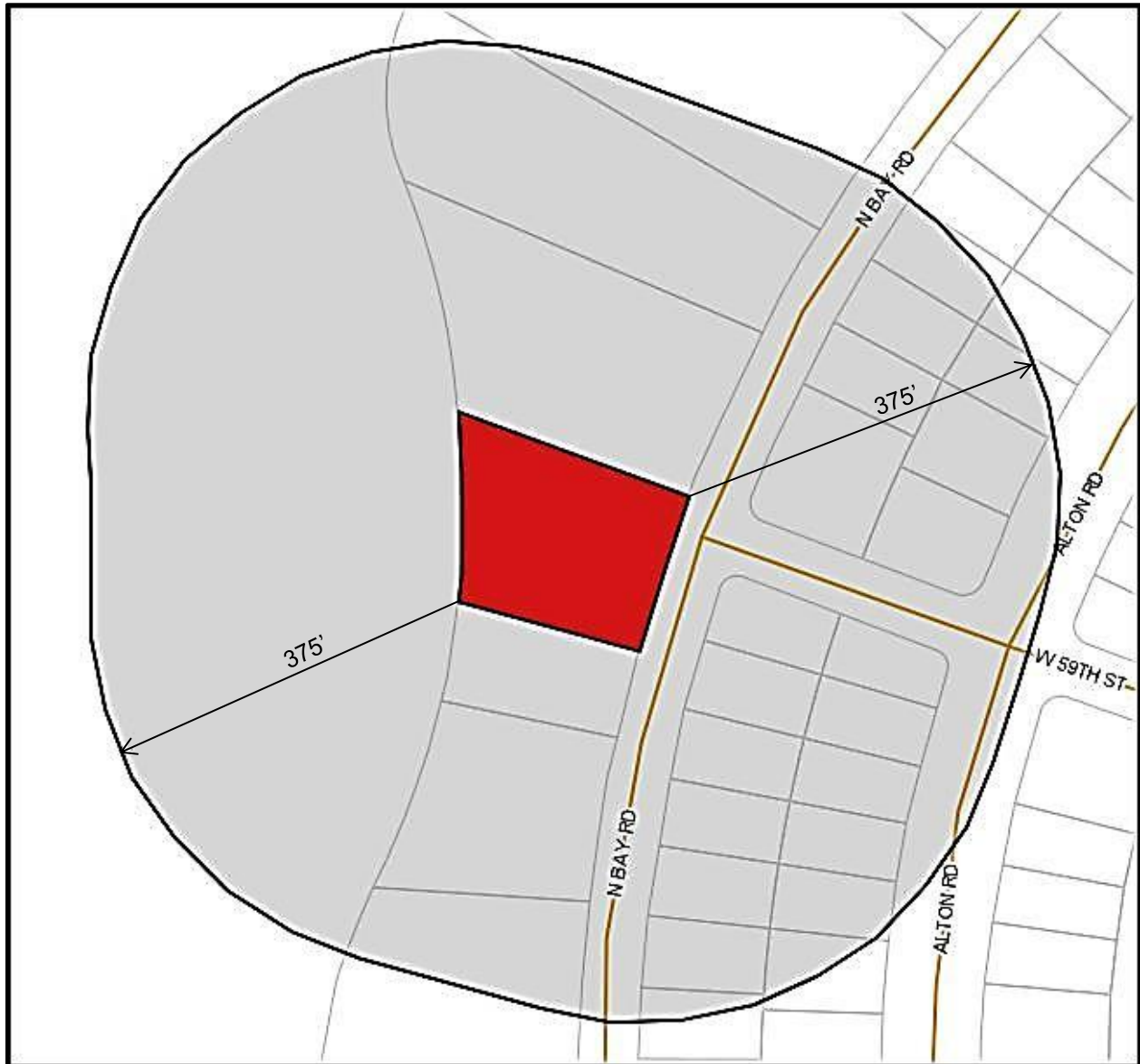
Total number of property owners without repetition: **27, including 1 international**



rdr miami | public hearing notification services

certified lists of property owners within a specific radius + radius maps + mailing labels + mailouts + notice of public hearing site posting
rdrmiami.com | diana@rdrmiami.com | 305.498.1614

375' RADIUS MAP



SUBJECT: 5860 N Bay Road, Miami Beach, FL 33140

FOLIO NUMBER: 02-3215-003-0220

LEGAL DESCRIPTION: 10-22-11 53 42 LA GORCE GOLF SUB PB 14-43 LOT 25 & END OF WEST 59 ST AT BISC BAY BLK 1 A

Name	Address	City	State	Zip	Country
NBR 5840 LP	18 SAVILE ROW	WESTMINSTER W1S 3PW			UNITED KINGDOM
5850 LINCOLN RD LLC	411 19TH AVE	PATERSON	NJ	07504	USA
AMBASSA HOLDINGS INC C/O CHRISTIAN DE BERDOUARE	10800 BISCAYNE BLVD #820	NORTH MIAMI	FL	33161	USA
BARRY GIBB &W LINDA	5820 NORTH BAY ROAD	MIAMI BEACH	FL	33140-2043	USA
BAY ROAD PROPERTY LLC	118 LEE AVE	ROCKVILLE CENTER	NY	11570	USA
CURT DYER & BRUCE BENDER	5900 ALTON RD	MIAMI BEACH	FL	33140-2025	USA
DOS DEVELOPMENT LLC	6000 COLLINS AVE # 334	MIAMI BEACH	FL	33140	USA
ELLIOT R BASNER &W JULIE A BASNER	5931 N BAY RD	MIAMI BEACH	FL	33140-2037	USA
ERWIN SREDNI	5848 N BAY ROAD	MIAMI BEACH	FL	33140	USA
FERNANDO CANADA	5930 ALTON RD	MIAMI BEACH	FL	33140-2025	USA
FRANCESCO SEMERARO	5839 N BAY RD	MIAMI BEACH	FL	33140-2036	USA
GERMAN M VALENCIA YOLANDA VALENCIA	5835 NORTH BAY ROAD	MIAMI BEACH	FL	33140	USA
GUILLERMO L FONT &W ISELA	5828 ALTON RD	MIAMI BEACH	FL	33140-2023	USA
JACOB K OHAYON	2027 NE 121 RD	NORTH MIAMI BEACH	FL	33181	USA
JAMES W MOORE &W KATHY M KASSNER	5905 NO BAY RD	MIAMI BEACH	FL	33140-2037	USA
JOEL M ELLISON TRACEY S ELLISON	5832 ALTON RD	MIAMI BEACH	FL	33140	USA
JOSE B ALEMAN & JOHN WORMWOOD	5824 ALTON RD	MIAMI BEACH	FL	33140-2023	USA
JUSTIN B ELEGANT &W JENNIFER	5925 N BAY RD	MIAMI BEACH	FL	33140-2037	USA
MARTIN P LABROSSE &W KAREN LEA	5842 ALTON RD	MIAMI BEACH	FL	33140-2023	USA
MERCEDES NATIVIDAD CAPOTE	5924 ALTON RD	MIAMI BEACH	FL	33140	USA
RACHEL L POLLOCK LE REM W MAE SINGERMAN	5941 N BAY RD	MIAMI BEACH	FL	33140	USA
SCOTT BENNETT	5845 N BAY RD	MIAMI BEACH	FL	33140-2036	USA
SCOTT WAGNER &W SHOSHANNA WAGNER	5945 N BAY ROAD	MIAMI BEACH	FL	33140	USA
SONNY KAHN &W SUZANNE	5940 N BAY RD	MIAMI BEACH	FL	33140-2044	USA
STEVEN J GREEN TRS KIMBERLY GREEN 2014 TRUST	5855 N BAY RD	MIAMI BEACH	FL	33140	USA
WILLIAM FARKAS &W BETH	5851 N BAY RD	MIAMI BEACH	FL	33140-2036	USA
WILLIAM THOMAS HARRIS III TR & C/O SPIELMAN KOENIGSBERG & PARKER RICHARD L KOENIGSBERG TR	1675 BROADWAY 20 FL	NEW YORK	NY	10019	USA

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