

ZONING, LAND USE AND ENVIRONMENTAL LAW

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## VIA ELECTRONIC DELIVERY

September 10, 2020

Members of the City of Miami Beach Board of Adjustment c/o Steven Williams, Chief of Planning Services 1700 Convention Center Drive, 2<sup>nd</sup> Floor Miami Beach, Florida 33139

Re: ZBA20-0113 and ZBA20-0116 – 808 and 802 W. Dilido Drive, Section 118-31 Disclosure

Dear Mr. Williams:

This law firm represents the Happy Sunset Trust and ILR LLC (the "Applicants"), owners of the abutting properties located at 808 and 802 W. Dilido Drive in the City of Miami Beach (the "City"). The Applicants submitted separate requests to the Board of Adjustment ("BOA") to exceed the seaward side yard setbacks in order to construct mirror-image docks with mooring piles, File Nos. ZBA20-0113 and ZBA20-0116. The requests will go before the BOA on September 11, 2020. This letter shall serve as the Applicants' required written disclosure pursuant to Section 118-31 of the City Code of Ordinances ("City Code").

Section 118-31 of the City Code provides that each person or entity requesting approval from the BOA to disclose at the commencement of the public hearing any consideration provided or committed for an agreement to support or withhold objection to the requested approval. The written disclosure shall indicate to whom the consideration has been provided or committed; describe the nature of the consideration; and be read into the record by the requesting person prior to submission to the secretary/clerk of the respective board.

The Applicants have entered into an agreement to mutually support each other's Variance requests to the BOA, as well as related environmental and building permits. They have each submitted into the record written letters of support. The nature of the agreement includes the condition that they will not construct the docks in excess of the seaward side yard setback unless both are approved by the BOA and obtain the required permitting approvals.

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The Applicants have also entered into an agreement with Ramin Aleyasin, owner of the property located at 726 W. Dilido Drive, Miami Beach. Mr. Aleyasin agrees to submit written support for the Applicants' Variance request before the BOA. In consideration for Mr. Aleyasin's support and the BOA's approval of the Variances, the Applicants agrees to submit written support for Mr. Aleyasin's future application of a Class I permit from the Miami-Dade County Regulatory and Economic Resources Department, Division of Environmental Resource Management for a new dock at his property.

<u>Conclusion.</u> The subject of this letter will also be read into the record at the September 11, 2020 BOA meeting in accordance with the City Code. If you have any questions or comments regarding this letter, please give me a call at 305-377-6236.

Sincerely,

Matthew Amster

cc: Michael W. Larkin, Esq. Emily K. Balter, Esq.



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