

Mr. Thomas Mooney  
Planning Director  
City of Miami Beach  
1700 Convention Center Drive  
Miami Beach FL 33139

15<sup>th</sup> January, 2021

**Re: Letter of Intent for Design Review Board Approval of Variances for Additions to Single Family Residence Located at  
1320 Flamingo Way, Miami Beach FL**

Dear Mr. Mooney,

I, Arianna Vanin, am the applicant ("Applicant") and owner of the property located 1320 Flamingo Way (the "Property"). Please accept this correspondence as the Applicant's letter of intent for the attached plans and application seeing review and approval by the Design Review Board ("DRB") of the proposed design and variances presented in the attached application package.

The project ("Project") consists of a 164 square foot addition of an open car port to an existing two story single family home located within the RM-1 zoning district in the West Avenue Bay Front Overlay. The addition requested is actually a reconstruction of the original open carport, which had been in place from the initial construction of the house in 1935, until approximately June 2020.

The Property was recently administratively approved for rear additions which have been permitted and are under construction (BR1903491), and it was during the construction of these additions that the existing carport on the east side of the house was accidentally partially demolished. As foundation work was done for the new retaining wall required by Code to raise the side yards to 6.1', damage was done to the existing arch, and the Contractor took down the upper portion of the carport, however did not understand that it could not be rebuilt without a variance due to side setback requirements.

The proposed design replaces the original carport with a new carport identical in location, footprint and proportions to the original carport in order to retain the original massing and design of the original 2 story house. From the very beginning of the project, retaining the character, charm and architectural details of the original house were of prime importance, and the open carport located on the east side is a typical part of the composition of this and many other houses of the period. The additions by no means maximize the full development potential of the site (6250 sf FAR allowed, 3,431 sf built and 3,595 sf total proposed), and are located adjacent to the garage of the adjacent property.

Due to the nature of the removal of the original carport, and in the interests of maintaining the character of the original house, the Project requires one (1) variance from the Design Review Board, as follows:

Variance Requests:

1. 142 -156 (a) Side Setback: Pursuant to Section 142-156 (a), the minimum side yard setback requirement for RM-1 district shall be 7.5 feet for single lots less than 65 feet in width. The Applicant is requesting a variance to allow 7.1' of the proposed open single story carport to encroach into the side yard for a setback of 0.4 feet as indicated on Sheet A-003.

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:

*As described above, the circumstances under which the original carport was removed are unique to this structure and this property.*

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

*The accidental removal of the upper portions of the carport were not a result of any action by 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;

*The approval of the requested setback variance will not confer any special privilege on the Applicant but will simply allow for the safe reconstruction of a previously existing structure.*

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;

*Literal interpretation of the RM-1 setback requirements would create an undue hardship on the Applicant due to the conditions under which the original carport was removed.*

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

*The requested setback variance encroachments are the minimum necessary in order to restore the original character, proportions and use of the structure.*

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;

*The granting of the requested setback variance will simply enable the reconstruction of the original form of the original house as constructed in 1935 and will increase the structure's compatibility with the neighborhood.*

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 voting on the applicant's request: and

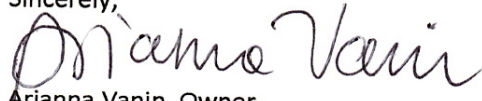
*The granting of the requested setback variance is consistent with the comprehensive plan as it will allow for the replacement of an existing carport of the same footprint and location.*

8) The granting of the variance will result in a structure and site that complies with the sea level rise and resiliency review criteria in chapter 133, article II, as applicable.

*The previously permitted project has addressed all sea level rise and resiliency criteria, including the installation of on site drainage wells and raising of the yards.*

The project is consistent with the scale and character of the surrounding residential neighborhood and in its restored state will not only complement but contribute to the local architectural identity through the restoration of the original façade proportions and detailing. The Applicant respectfully submits the proposed Project for review and approval by the Design Review Board.

Sincerely,



Arianna Vanin, Owner.