

**Garrett & Shaina Kamen  
5262 La Gorce Drive  
Miami Beach, Florida 33140**

November 17, 2021

Re: 5262 La Gorce Drive, Miami Beach, Florida 33140  
Design Review Board Application No. DRB21-0731 (the "Application")

**The Honorable City of Miami Beach Design Review Board Chairman and distinguished Board Members:**

We are the owners of 5262 La Gorce Drive, Miami Beach, Florida 33140 (the "property"). Please accept this Amended and Restated Letter of Intent in support of the above-mentioned application for the City of Miami Beach Design Review Board's approval in connection with this project.

As an overview, the proposed project is for a two-story single-family residence bordering on the La Gorce Golf Course. Our goal is to build a beautiful warm, modern, family home that is surrounded by vegetation that will blend well with its surroundings, especially with the open green space in the backyard which flows through to and is adjacent to the golf course. We want this home to be a welcoming and safe environment for our toddler and newborn to play and grow, and for our family become part of the community.

Unfortunately, the home's irregular side yard lot lines has created a number of practical difficulties and hardships in our ability to accomplish this vision. Therefore, we are requesting one design waiver and four variances to accommodate the design for our new home. We have provided some additional information about request each below:

1. **Waiver**: We request to waive the interior side setback open space requirement for two story elevations exceeding 60' in length or 50% of the lot depth. **Section 142-106(a)(2)d**

The requested waiver relates to the open space requirements for two-story elevations that exceed 60'-0" in length. We are requesting the waiver for the southern two-story elevation that exceeds this length but, due to the odd interior property line, juts inwards in the middle of the property. As proposed, the interior elevation is broken up into two-volumes, of which neither exceeds 60' feet in length, but given the peculiar interior lot line, renders the elevation not complying with the Code. Since the original project proposal, we have added more fenestration to the south elevation, and are open to additional recommendations from staff the DRB to ensure the project is consistent with the neighborhood. Even without these improvements, it is our understanding that staff supports this design waiver as consistent with the intent of the code.

2. **Variance #1**: We request to increase the Lot Coverage by 120 square feet (from 30% (2,016 SF max.) to 31.8% (2,186 SF)). **Section 142-105(b)(1)**

We are proposing a new two-story single-family home that exceeds the maximum 30% lot coverage allowed by about 1.7%. Here again, the irregular shape of the lot has created some difficulties in the design of our new family home. In particular, lot coverage has become a difficult task to resolve under the required 30%. We note that due to the irregular shape of the lot and the fact that it is corner property, we are unable to design the project in a manner that qualifies for square footage of the garage to be deducted from lot size calculations. We believe this difficulty further supports our request for the variance.

Moreover, we are the "end users" of this home and have worked diligently with our architects, The Weber Studio, to design a home that would complement and be consistent with the neighborhood and be functional for our family, including our two young children. As you will see in our proposed project, it does not include frivolous (though lovely) architectural flourishes, like interior court yards or oversized balconies, which would impact our lot coverage. The requested variance, which will not be discernible from the proposed exterior of the home, will allow us to maximize the functionality of the home and greatly enhance our quality of life and enjoyment of the home as our family continues to grow.

3. **Variance #2:** We request to relax the 5' – 0" driveway setback from the street-side property line. **Section 142-106(b)(6)b**

The existing residence has a variance to accommodate a circular driveway on the side street adjacent to the property. The proposed design incorporates a similar circular driveway, which frames the beautiful new entrance to our home and is consistent with other homes in the neighborhood. The circular driveway also provides a safe area away from street traffic for our young children to play games and to ride scooters (eventually tricycles and bicycles). Based on a recent consultation, it is our understanding staff will be supportive of this request now that we have reduced the proposed driveway's width.

4. **Variance #3:** We request to relax the 30' – 0", two-story, front main building setback to a distance of 22' – 0". **Section 142-106(a)(1)b**

We are requesting a zoning variance for the front yard setback to accommodate difficulties and hardships that we have encountered during the design phase of the project. We have revised the plans consistent with our conversation with staff and, as indicated during that conversation, we believe that the irregular side yard lot line has created hardships that warrant a variance.

It is our understanding that at some point in the past, land from the backyard was taken by a neighboring plat. The irregular shape makes the backyard extremely narrow. Absent the requested variance, the backyard will not be large enough to provide a safe fenced in space for our children to play. The front yard does not provide a safe area for our young children. Not only is it near a busy two-lane street, but over the last few months, we have been victims of trespassing and theft. Trespassers have accessed our front lawn and items from our yard have been removed during daytime hours, making the frontage a less than ideal space for our children to use.

If the variance is granted, we believe the adjusted setback will not be noticeable by passersby. As indicated in the revised plans, the roof slopes away from the street reducing the mass of the structure. Moreover, the height of this project's two stories is about 21'. It is our understanding that one story homes up to 18' in height are allowed in this area of the setback, making our design largely indistinguishable with the naked eye to those passing by. Also, as shown in the revised package, the setback remains consistent with many other homes in the neighborhood.

It is important to take in consideration that we are not requesting a return to the original setback for the front yard on the property. Instead, we have requested about 8'. This amount would allow our expanding family enough room to comfortably use the backyard. It also will enable us to use the nook created by the waiver discussed above to contain some (if not most) of the mechanical equipment, moving it further away from the property line than otherwise required and further obviating the need for variance number 4 (discussed further in the next section).

5. **Variance #4:** We request to relax the minimum side yard and mechanical equipment setback of 5' – 0" min. to 3' – 6" min. **Section 142-106(b)(5)a**

If the front yard variance requested above is approved, it will moot our need for variance number 4 and we will withdraw this request.

### **Conclusion:**

We are very excited to be sharing our project with you. We hope you will agree that it will make a meaningful contribution to neighborhood and is consistent with the other beautiful homes nearby. We firmly believe that this project will be a positive addition to the area and we stand ready to proceed with this project as soon as possible. Thank you for your consideration and we look forward to answering any questions or requests for additional information.

Sincerely,

Garrett & Shaina Kamen