

City of Miami Beach,
Planning & Zoning Dept.,
1700 Convention Center Dr.
Miami Beach, FL.
Date: 08/08/2022

REF: Design Review Board / Letter of Intent / Hardship Letter / 7637 Carlyle Ave., Miami Beach, Fl. – 7645 Carlyle Ave. Miami Beach, Fl.

Project Description: 7637 Carlyle Ave.

New 4 story (walk-up flats) building, with 7 units as follows: 5 units (2-bedrooms & 2.5 baths); 1 unit (1-bedroom & 1.5 bath) and 1 unit (2- bedroom & 2 bath) w/ all units entering at ground level with a total of 5 parking spaces provided undercover.

Board of Adjustment / as per pre-meeting with the Planning Department, we are requesting the following variances on the above REF. project for the following issues:

Variance # [1] - Exceed the max. Allowed projection in front yard, max. 25%. / 7'-6" min. req. / 6' provided.

Variance # [2] – Parking clearance from BFE + 1', according to RM-1 zoning -12' min. required / 9'-6" provided.

Waiver # [1] - Parking requirements for single lots 0 / Because of lot aggregation new building requirement 7 / 5 provided.

Variance response: [Based on the following information we feel that we qualify and meet the hardship criteria for the requirements of SECT. 118-353(D)]



Variance [1] Variances to allow max. projections in front yard (max. 25%) and to allow max.

Stair landing in the front setbacks which are approx. 4'-6" above grade with the railing at 3'6" above fin. floor. This is due to meeting the flood criteria elevation for the entry foyer at the entrance of the units which is at elev. +9 above mean sea level. Most properties in the district don't meet the flood criteria and thus are a lower elevation. The hardship comes from having to meet these new elevations in the front of the units of these very small 50' lots and at the same time providing 5 on-site parking spaces which none of the existing building in the district comply with.

We meet all requirements of Sect. 118-353

- A.) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are also applicable to existing other lands, structures, or existing bldgs. in the same zoning districts with the same request setbacks.
- B.) That the special conditions and circumstances do not result from the action of the applicant.
- C.) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, existing buildings, or structures in the same zoning district. Note other properties in the area already enjoy from these setback reductions due to the small size of properties and following smaller urban setbacks.
- D.) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.
- E.) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
- F.) That the granting of the variance will be in harmony with the general intent and purpose of this ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare and that granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

Variance [2.] To provide 10' clearance from BFE + 1' to the underside of the slab above garage:

Min. height req. is 12' clearance from BFE+1' to the underside of the slab above BFE+1', and we are providing 9'-6" to the underside of slab.

We meet all requirements of Sect. 118-353

- A.) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are also applicable to existing other lands, structures, or existing bldgs. In the same zoning districts.
- B.) That the special conditions and circumstances do not result from the action of the applicant.
- C.) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, existing buildings, or structures in the same zoning district. Note other properties in the area already enjoy from these reductions due to the small size of properties.
- D.) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.



- E.) That the variance granted is the minimum waiver that will make possible the reasonable use of the land, building or structure.
- F.) That the granting of the variance will be in harmony with the general intent and purpose of this ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare and that granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.

Waiver # [1] - Parking requirements for single lots 0 / Because of lot aggregation new building requirement 7 / 5 provided.

7637 Carlyle Ave. is a 50' foot wide lot where the new 7 townhouses project will be built. According to the North Beach overlay district requirements parking on 50' lots have 0 parking requirements. It was determined that in order to provide a better design for this new townhouse project and not create a new driveway through the Carlyle Ave. front façade it was decided and consulted with Michael Belush, to enter the parking area for the new project through the project at 7645 driveway entrance at 77th street and provide a covenant in lieu of unity of title with the property at 7645 Carlyle Ave.

The new requirement for parking for the new project based on the two aggregated lots is 7 parking spaces. We are requesting a waiver to provide 5 parking spaces on this new lot.

We meet all requirements of Sect. 118-353

- A.) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are also applicable to existing 50' wide lots, structures, or existing bldgs. In the same zoning districts.
- B.) That the special conditions and circumstances do not result from the action of the applicant.
- C.) That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, existing buildings, or structures in the same zoning district. Note other properties in the area already enjoy from these reductions due to the small size of properties.
- D.) That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.
- E.) That the variance granted is the minimum waiver that will make possible the reasonable use of the land, building or structure.
- F.) That the granting of the variance will be in harmony with the general intent and purpose of this ordinance and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare and that granting of this request is consistent with the comprehensive plan and does not reduce the levels of service as set forth in the plan.



Sec. 133-50. – Sea level rise and Resiliency review criteria.

Our project is compatible with the city's sea level rise mitigation and resiliency efforts.

- 1.) A recycling or salvage plan for total demolition will be provided at the time of demolition.
- 2&3.) Windows are proposed to be operable hurricane proved impact windows.
- 4.) Resilient landscaping should be provided according to chapter 126.
- 5.) Adjusted grade elevations are at +6.56 NGVD.
- 6.) Ground floor, driveways, and garage ramping for new construction will be adaptable to the raising of public rights-of-way and adjacent land.
- 7.) All mechanical and electrical systems should be located above base flood elevation.
- 8.) N/A.
- 9.) Habitable space base flood elevation plus City of Miami Beach Freeboard. Shall be vented or wet & dry flood proofed.
- 10.) Storm water retentions system shall be provided.
- 11.) Cool pavement material shall be utilized.
- 12.) The design of the project.

We are requesting these variances and showing that **we are complying with hardship requirements of sect. 118-353(d) of the City of Miami Beach Planning & Zoning**, and we thank you for consideration in looking at this request.

Sincerely,

Gustavo J. Ramos Architect, AR8715

