

VILLAGE ARCHITECTS

OF KEY BISCAYNE, INC

ARCHITECTS, PLANNERS, INTERIOR DESIGN & PURCHASING

June 19, 2023

City of Miami Beach Planning Director
Planning Department
1700 Convention Center Drive, 2nd Floor
Miami Beach, FL 33139

Re: DRB23-0933- Design Review and Variance request for the property located at
1855 Cleveland Rd., Miami Beach, Florida

Dear Planning Director:

We are submitting this Letter of Intent for Variance on behalf of Mr. & Mrs. David Salanic (Applicant) and owner of the property located 1855 Cleveland Rd. (the “property”) in the City of Miami Beach (the “City”). The Miami-Dade County Property Appraiser’s office identifies the property with Folio No. 02-3203-001-0970. See Exhibit A, Property Appraiser Report.

The applicant with his family purchased the home on January 6, 2021 and on February 7, 2022 applied for an addition and interior/exterior renovation and permit number BR2206428 was issued on June 24, 2022. Currently the applicant intends to extend the first floor toward the front & rear. Please allow this letter to serve as the Letter of Intent for Variance in connection with a request to the Design Review Board (“DRB”) for design review with and an associated variances for the existing single-family home on the property.

Property Description. The existing single-family residence was built in 1954 and in 1982, the second floor was added. There is a permit (BR2206428) for the addition and interior/exterior renovation with existing nonconforming interior sides and front setback and is indicated as existing within the Architectural Plans (11”x17”).

The interior waterfront property is located within the RS-3, single-family residential zoning district with a 11,250 SF lot size.

Proposed Permit Revision. The Applicant proposes to extend the west side of the first floor toward the front to accommodate the new Laundry Room and convert the existing Laundry to the Mud Room and along the same side toward the rear of the house a Trellis/BBQ Addition.

The Applicant’s design significantly complies with the City of Miami Beach Code of Ordinances (the “Code”) requirements for height, unit size, and lot coverage. In fact, the existing height below the maximum, lot coverage of 29.9% where 30% is allowed and unit size of only 44.9% where 50% is permitted.

Due to the setback changes since the house was built, the west side has a nonconforming yard of 5 feet of which 10 feet min. is currently required under section 142-106(a)(2)(c)(1). Under Section 142-106(a)(2)(e)(3) allows for 1 story extension of 20 feet for nonconforming yards of 5 feet. The proposed front extension of 8'-7" together with the rear extension of 11'-2" under permit No. BR2206428 is less than the allowable 20 feet.

The adjacent west property (Residence No. 1865) appears not to have any windows facing the east and is further setback from the east and heavily landscaped from the applicant's residence. The proposed Trellis/BBQ will require a variance to align with the nonconforming side yard and will not visually affect the adjacent neighbor.

Variance Requests. The Applicant's proposal substantially complies with the single-family home regulations including lot coverage, unit size and height. The front setback variance request of 4'-3" for the existing nonconforming second floor of 35'-9" of which 40'-0" is required to allow for the first story front setback of 20 feet. Similarly, the challenges require relief for the west side setback for the proposed Trellis/BBQ to align with the existing nonconforming 5'-0" side yard from the required 10 feet. The requested variances will not have any negative impacts on any neighbors.

To fully realize its development and due to the existing nonconforming side yard and front setback, the Applicant request the following variances:

1. A variance of Code Section 142-106(a)(2)(c)1. To permit the west interior side setback of 5'-0" when 10'-0" is required to align with the nonconforming existing side yard.
2. A variance of Code Section 142-106(a)(1)a. to permit the existing second floor front setback of 35'-9" when 40'-0" is required to allow for the attached one-story portion to have a 20'-0" front setback.

Satisfaction of Hardship Criteria. Per Section 118-353(d) of the Miami Beach Code. In order to authorize any variance from the terms of these land development regulations and sections 6-4 and 6-41(a) and (b), the applicable board shall find that:

- (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 existing residence has conforming front and side yard setbacks.

- (2) The special conditions and circumstances do not result from the action of the applicant;**
The existing residence was built in 1954 and did 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;**

The Code allows for similar extensions for nonconforming 5'-0" side yards. The Project is well within the Code requirements for height, unit size, and lot coverage. The design also fits in with

the neighborhood and the side yard setback will not be decreased from the abutting neighbor. Therefore, granting these variances does not confer any special privilege on the Applicant, nor does it result in a larger home than allowed.

- (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;**

The modest home substantially complies with the land development with regards to unit size, lot coverage, and height requirements for home in the RS-3 zoning district. A literal interpretation of the provisions of these land development regulations would not only hinder the spatial relationship between proposed Trellis/BBQ but also restrict access from the breakfast area and would not permit the first floor Laundry Room extension in the front. The slight deviation from the land development regulation is necessary to construct a viable home, with certain amenities for the Applicant's family. Otherwise, the Code would deprive the Applicant of the right to build what is enjoyed by other properties and would work an unnecessary and undue hardship to Applicant.

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

The Applicant's goals are to provide a well-designed, harmonious home that does not intrude on any neighbor and provides safety for the family. The minor setback variances are the minimum necessary to accomplish this goal due to the current front and west side setbacks.

- (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**

Th residence will be in harmony with the surrounding properties, and aims to further the intent and purpose of the land development regulations. Granting the requested minimal front and west side setback variances will not be injurious to the are involved or otherwise detrimental to the public welfare

- (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 variances requests are consistent with the City's Comprehensive Plan and do not reduce the levels of services set forth in the Plan.

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

Compliance with Sea Level Rise and Resiliency Review Criteria: Section 133-50(a) of the Land Development establishes review criteria for sea level rise and resiliency that must be considered as part of the review process for board orders. The following is an analysis of the request based upon these Criteria:

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

Appliances and plumbing fixtures shall be salvaged where possible.

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

Windows & Doors to be replaced will be impact resistant type of windows.

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

Operable windows will be provided similar to the concurrent renovation.

(4) Resilient landscaping (salt tolerant, highly water-absorbent, native, or Florida friendly plants) shall be provided, in accordance with Chapter 126 of the city code.

There are no existing trees being affected by the proposal. Street trees will remain.

(5) The project applicant shall consider the 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. The applicant shall also specifically study the land elevation of the subject property and the elevation of the surrounding properties.

Not Applicable.

(6) The ground floor, driveways, and garage ramping for new construction shall be adoptable to the raising of public right of way and adjacent land, and shall provide sufficient height and space to ensure that the entry ways and exits can be modified to accommodate a higher street height of up to three additional feet in height.

Not Applicable.

(7) As applicable to all new construction, all critical mechanical and electrical systems shall be located above base flood elevation. All redevelopment projects shall, whenever practical and economically reasonable, include the relocation of all critical mechanical and electrical systems to a location above base flood elevation.

Electrical Equipment are existing to remain.

(8) Existing buildings shall, wherever reasonably feasible and economically appropriate, be elevated up to base flood elevation, plus City of Miami Beach Freeboard.

Not Applicable.

(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 54 of the city code.

Not Applicable.

(10) As applicable to all new construction, stormwater retention systems shall be provided.

Not applicable.

(11) Cool pavement materials or porous pavement materials shall be utilized

Not applicable.

(12) The design of each project shall minimize the potential for head island effects on-site

New barrel tile roof to match existing.

Conclusion. Granting this design review application with associated variances will permit the development of a beautifully designed home renovation. The Applicant's proposal will not reduce the existing side yards minimizing any impact on the neighboring lots. The home significantly complies with the land development regulations and intent of Code.

We look forward to your favorable review of the application. If you have any questions or comments, please give us a call at (305) 361-5335.

Sincerely,



Rafael Rodriguez

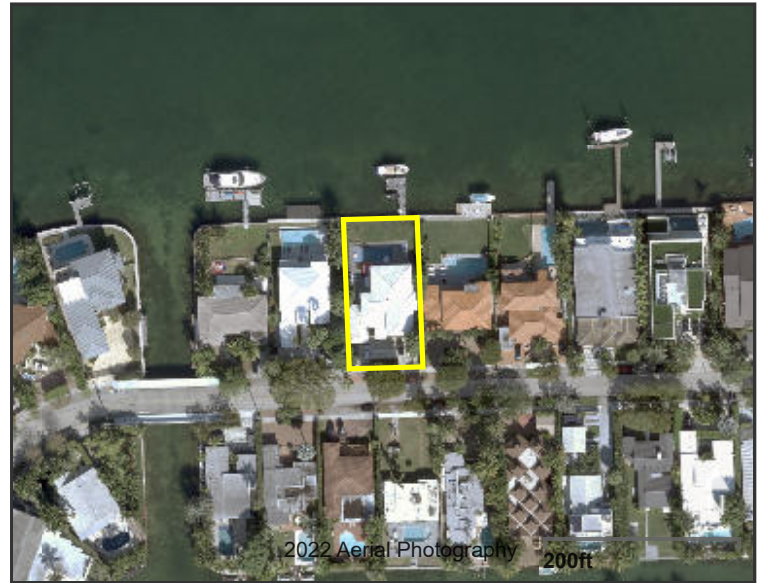


OFFICE OF THE PROPERTY APPRAISER

Summary Report

Generated On : 6/15/2023

Property Information	
Folio:	02-3203-001-0970
Property Address:	1855 CLEVELAND RD Miami Beach, FL 33141-1722
Owner	DAVID L SALANIC ALEXANDRA S HAIME SALANIC
Mailing Address	1855 CLEVELAND RD MIAMI BEACH, FL 33141 USA
PA Primary Zone	0800 SGL FAMILY - 1701-1900 SQ
Primary Land Use	0101 RESIDENTIAL - SINGLE FAMILY : 1 UNIT
Beds / Baths / Half	4 / 6 / 0
Floors	2
Living Units	1
Actual Area	5,401 Sq.Ft
Living Area	4,844 Sq.Ft
Adjusted Area	4,598 Sq.Ft
Lot Size	11,250 Sq.Ft
Year Built	Multiple (See Building Info.)



Assessment Information				
Year	2022	2021	2020	
Land Value	\$1,856,224	\$1,350,053	\$1,293,768	
Building Value	\$1,841,498	\$453,679	\$457,242	
XF Value	\$49,077	\$32,371	\$32,676	
Market Value	\$3,746,799	\$1,836,103	\$1,783,686	
Assessed Value	\$3,746,799	\$1,836,103	\$1,783,686	

Benefits Information				
Benefit	Type	2022	2021	2020
Homestead	Exemption	\$25,000		
Second Homestead	Exemption	\$25,000		
Note: Not all benefits are applicable to all Taxable Values (i.e. County, School Board, City, Regional).				

Short Legal Description	
BISCAYNE POINT PB 14-35 LOT 3 BLK 6 LOT SIZE 75.000 X 150 OR 11262-479 1181 1	

Taxable Value Information			
	2022	2021	2020
County			
Exemption Value	\$50,000	\$0	\$0
Taxable Value	\$3,696,799	\$1,836,103	\$1,783,686
School Board			
Exemption Value	\$25,000	\$0	\$0
Taxable Value	\$3,721,799	\$1,836,103	\$1,783,686
City			
Exemption Value	\$50,000	\$0	\$0
Taxable Value	\$3,696,799	\$1,836,103	\$1,783,686
Regional			
Exemption Value	\$50,000	\$0	\$0
Taxable Value	\$3,696,799	\$1,836,103	\$1,783,686

Sales Information			
Previous Sale	Price	OR Book-Page	Qualification Description
01/06/2021	\$4,480,000	32305-4818	Qual by exam of deed
06/16/2015	\$2,525,000	29661-0654	Qual by exam of deed
11/01/1981	\$240,000	11262-0479	Sales which are qualified

The Office of the Property Appraiser is continually editing and updating the tax roll. This website may not reflect the most current information on record. The Property Appraiser and Miami-Dade County assumes no liability, see full disclaimer and User Agreement at <http://www.miamidade.gov/info/disclaimer.asp>

Version: