

September 27, 2023

Michael Belush, Chief of Planning and
Zoning Planning Department
City of Miami Beach
1700 Convention Center Drive, 2nd
Floor Miami Beach, Florida 33139

Reference: Request approval for Seawall repair

Variance Requests for the Property Located at 460 S Shore Dr. Miami
Beach. Florida 33141

Dear Michael:

I am Chilean, at the end of 2020 I bought a property located at 460 S
Shore Dr FL 33141

A few days after signing the purchase deed, I received a notice of Violation (BVB
20000687) which told me that the Seawall wall must be repaired. Talk to the
inspector Mr. Adrian Avalos and request a deadline to resolve the violation since
due to the Pandemic (Covid-19) I could not travel to Miami.

In August 2021, when travel restrictions were lifted, I was able to go to Miami
and hire a builder and engineer, Mr. Luis Rosas-Guyon (RGE Consulting
Services, Inc.). This engineer abandoned the project, stopped answering my
phone calls, I went to his office and he promised me several times to send the
documents, which he never did.

Due to the abandonment of the project by Mr. Rosas-Guyon, I was forced to
hire another builder, who, in order to carry out the work, issued me an estimate
that was too expensive, so for economic reasons I cannot carry out the
construction of a new wall and pier and I will only repair the wall of the
breakwater wall, which is what the City of Miami Beach is asking me to repair,
and thus be able to solve the problem of the Violation.

For the new project to repair the Seawall wall, I hired another engineer, Mr.
Andres Perez, License No. 66507 of Miami Florida, who carried out a study of
the work, made a plan with the details to be carried out considering control of
sediments and erosions in carrying out the work.

A permit (BR 2308351) was submitted to the City of Miami Beach on 07/08/2023
to request authorization to repair the Seawall, which was approved by various
disciplines with the exception of Public Works, which indicates that:

Provide the top of cap elevation for the seawall. If the top of cap elevation is less than 4.0 NAVD (5.26 NGVD) you will be required to raise the seawall to 4.0 NAVD. Note: All existing seawalls that require repairs, but the repairs are considered less than substantial and existing seawalls that fall below an elevation that incurs flooding to adjacent property and/ or public right of way shall have a minimum elevation of 4. 0 feet NAVD88 if designed and constructed to accommodate a minimum elevation of 5. 7 feet NAVD88. Note: Substantial repair or rehabilitation means, a) Any improvement and/ or repairs to the existing seawall with a cost of \$300 or more per linear foot. (CMB Municode sec. 54-62; ORDINANCE NO. 2021- 4393).

Due to the above, I went to Public Works, explained the situation and they gave me the possibility of an alternative solution through a Variance in the Planning Department.

I kindly request that you authorize me to carry out what is proposed so that i can comply with what was requested and be able to resolve the Violation.

Thank you very much for your understanding.

Yours sincerely

Fernando Miguel F.

