

THE WEBER STUDIO  
ARCHITECTURE

December 12, 2023

**RE:** ZBA23-0158 - Letter of Intent  
**PROJECT:** 2835 Lucerne Avenue  
Miami Beach, Florida 33140

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

The owner of the above-referenced property is seeking the Board of Adjustments Approval for (1) Variance to reduce their required Rear Setback. The design proposes an Addition/Renovation of a Single-Story Residence.

**Variance Request No.1:** The minimum required rear setback shall not less than 20'-0". We're proposing a 7'-6" rear setback.

The proposed residence and requests are compatible with the surrounding land uses and would not be detrimental to the community. The requests do not impact the surrounding neighbors and, in our humble opinion, meet the original intent and purpose of the code [Section 118-353 (d)(6)]

- 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.
- (2) The special conditions and circumstances do 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;
- (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;
- (5) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or 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; and
- (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.
- (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.

Our presentation to the BOA will depict the proposed addition and demonstrate why the proposed location is the most appropriate for the new home. Please feel free to contact our office should you have any questions or comments. Thank you in advance for your time.

Thomas Weber, Architect  
*The Weber Studio, LLC*