

Yohama Lorenzo  
1620 Daytonia Road  
Miami Beach, Florida 33141

June 26, 2017

Board of Adjustment  
Planning Department  
City Of Miami Beach  
1700 Convention Center Drive  
Miami Beach, Florida 33139

Re: Letter of Intent and Description of Hardship in Support of Variance Application

Dear Board of Adjustment:

This letter is submitted in support for my application for a variance regarding the parking of my recreational vehicle (RV) in the east side of my property located on: 1620 Daytonia Road, Miami Beach, Florida 33141. The issues are:

1. Request a variance of approximately 4 ft (L) x 9 ft (W) from my north-east (NE) driveway entrance:

When my RV is parked on the east side of my L-shaped property, the front of the RV in question, which is 9 ft. wide, ends 16 feet from the north property line instead of the 20 feet required, as I was recently informed on May 16, 2017. The RV is parked in a paved, permanent surface area.

2. Request a variance for the minimally visible part of the RV, which is only visible from the right of way directly in front of the north-east (NE) driveway entrance:

Every effort has been done, from the beginning, to comply with the required screening from any adjoining property and from the right of way when viewed from 5 feet 6 inches above grade. Dense "clusia" hedges, with a present height of 10 ft., totally block the view from any adjoining properties, as well as from the right of way. To further obtain screening from the right of way in front of the 2 entrances to my circular driveway, I requested a Building Permit (#BR0916-0482) to build 2 sliding gates to the maximum allowable height by City of Miami Beach codes. These sliding gates accomplished total screening from the north-west (NW) entrance to the driveway, but there is still minimal visibility of the narrow forehead of the RV from the right of way in front of the north-east (NE) entrance to my driveway.



The following is a history of events leading to this application for a variance:

DATE	ACTION	RESPONSE
June 2011	Called City of Miami Beach (305-673-7550) to inquire about regulations to keep RV in my property. Spoke with a planner who informed me of the rules and regulations.	The planner informed me that if the RV could not be stored at the back of property or the side of property, "it would need to be screened from view by either hedges or gates." He informed me of the limitations regarding gate height.
June 2011	I planted CLUSIA hedges on front of property and waited for them to grow.	--
June 2012	Clusia hedges were aprox. 6 ft. high when I bought my RV and stored it in the east corner of the driveway. To screen it from view from the east entrance of the driveway, I placed 5 movable planters with areca palms (which were moved every time I needed to drive the RV out of the property.	--
1/27/2016	Citation # CE16001191 was delivered to me by inspector Johana Ozuna. Citation read: "owner can comply by removing said vehicle or screening within 7 days of receipt of this notice."	Inspector Ozuna informed me, that I could screen it from view "by placing additional planters on the west side of the RV, and that would block the view from the west entrance of the circular driveway".
1/30/2016	I placed 10 additional movable planters with areca palms on the west side of the RV and called Inspector Ozuna to satisfy the city's requirements.	I assumed Inspector Ozuna had come to inspect at some point that we were not at home, since we never heard from the city again.
9/8/2016	The areca palms on the movable planters were difficult to keep alive because of their size and the fact that they were not on the ground. I decided to apply for a permit to build gates, and thus satisfy the city's requirements.	I applied for a building permit to build the maximum height sliding gates on both entrances to circular driveway. Building Permit # BR0916-0482 was issued on 9/28/2016.
Feb./2017	Received summons to appear before Special Master of the City of Miami Beach on May 4/2017 regarding failure to comply with final order. Inspector cited in order was Inspector Ozuna. Special Master Case Number SMC2016-00295	I immediately called City of Miami Beach to speak with Inspector Ozuna. I was informed that the Inspector in charge was Inspector Joardeen Jarquin, and I left him a message.
Feb./2017	Spoke to Inspector Jarquin and informed him that I was in the process of finalizing the gates that would provide the screening of the RV. He instructed me to let him know when the permit was closed so he could come, re-inspect, and close the pending Special Master Case. At no point, did inspector Jarquin inform me that the RV could not be parked in the driveway, on the contrary, he explained that it only needed to be screened from view.	--
3/16/2017	Gates were completed and inspected. Building Permit was closed.	I called Inspector Jarquin to ask him to re-inspect.
3/24/17	Inspector Jarquin came & re-inspected, took some photos & informed me that he would take the case to his superior for the Special Master Case to be closed, since I would be in compliance. He would e-mail me evidence of closed Special Master Case.	--
4-6-17	Called Mr. Jarquin to enquire about closed Special Master case. He informed me that his supervisor told him he could not close the case and we would have to appear on 5/4/17 in front of the Special Master to close it.	--



DATE	ACTION	RESPONSE
5/4/17	Hearing with Special Master: We were given an extension until July 6, 2017 to attempt to obtain a variance that would allow us to keep our RV in our driveway. For the FIRST TIME, we were told that the violation DID NOT have to do with the screening ONLY (or lack of), but that the RV COULD NOT BE PARKED ANYWHERE BUT ON THE SIDE OR BACK OF THE PROPERTY. We were informed by the Special Master that she did not have the authority to change an ordinance in the city.	
June 2017	Application process for a variance started.	

The following are facts regarding the 2 issues with the violation: SCREENING and POSITION.

**SCREENING:** The hedges planted to screen the view of the RV are now approximately 10 feet high, thus blocking COMPLETELY (100%) the view of the RV from any adjacent property. The gate that was built by Permit # BR0916-0482, was the maximum allowed by code, even sacrificing four feet of my property to be able to extend to the maximum height of 7 feet. This gate accomplishes a great amount of screening from the right of way when viewed 5 feet 6 inches from grade. The only neighbor that can see the narrow-width forehead of the RV in question is my neighbor to the north (across the street), Mr. Giorgio Rubini, who has written a letter informing the City of Miami Beach that "he finds the gates very tasteful and more than sufficient to screen out any detrimental view of the RV". I am enclosing a copy of the letter written by my neighbor, Mr. Rubini.

**POSITION:** The RV is permanently parked in a paved, permanent surface to the side of my L-shaped property. The front of the RV ends 16 feet from the north property line, instead of the recently advised 20 feet. Due to the size of the lot, and the footprint of the house, it is impossible to move the RV further in to satisfy the 20 feet requirement or to move it to the back (south side) of the property.

Enclosed are photos of my property as seen from different angles, when the RV is parked within it. It is my hope that I have provided sufficient evidence of my wish and efforts, from the beginning, to comply with the City of Miami Beach ordinances:

1. I did not purchase my RV until I was informed by a planner in the City of Miami Beach, in 2011, that I could have it in my driveway as long as it was screened from view. Even then, I waited for the hedges to grow enough to screen it before buying it.
2. When I was first issued a violation by Ms. Ozuna, in January 2016, (copy of difficult to read violation enclosed), the indication was for the need of proper screening. She suggested the movable planters OR building a sliding gate that would screen the view of the RV from the front of the property.
3. In view of the difficulty in keeping the plants (on the movable planters) alive, I applied for a permit for the construction of 2 sliding gates to block the view from the right of way through both entrances to my circular driveway. This process was initiated and completed, at a great sacrifice and cost, in reliance to the

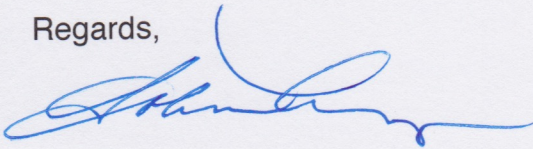


suggestion of Inspector Ozuna in order to comply with the city's rules and regulations. I sacrificed 4 feet of property to build the highest gate allowed by the city (7 feet) to be able to maximize my ability to screen the RV. Between planning, permitting, construction, and installation, I spent \$13,000 to build aluminum gates that would be durable, as solid as allowed, and esthetically pleasing to enhance my property and my neighborhood. It was of utmost importance that my neighbors would be pleased by the esthetics of such gates.

4. Inspector Jarquin, upon informing me of the Special Master Case SMC2016-00295, indicated to me that I would be in compliance with the city's ordinances once the sliding gates were completed. He never mentioned that the position of the parked RV was an issue.
5. I also want to emphasize that the sole focus of compliance, both verbal and written, provided by your very courteous employees, Inspector Johanna Ozuna and Inspector Joardeen Jarquin, was always on maximizing the SCREENING of the RV, and never as to the POSITION of the RV within the property. Throughout this whole process, I have attempted to diligently follow the compliance directives of Inspectors Ozuna and Jarquin in my efforts to achieve the maximum SCREENING permissible. It was not until I appeared in front of the Special Master on May 4, 2017, that I was informed that the POSITION of the RV was also an issue.

I hope that this letter explains, in a detailed and organized fashion, the hardship and rationale behind my request for you to consider my variance application. Thank you for your time and consideration.

Regards,



Yohama Lorenzo





MIAMI BEACH

CASE # \_\_\_\_\_

CITY OF MIAMI BEACH  
CODE COMPLIANCE DIVISION  
505 17 St. Miami Beach, FL 33139  
(305) 673-7555 Fax (305) 673-7012

NOTICE OF ZONING VIOLATION

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Violator: \_\_\_\_\_

Violation Address: \_\_\_\_\_

INSPECTION OF THE ABOVE PREMISES ON THIS DATE  
DISCLOSES YOU ARE IN VIOLATION OF SECTION \_\_\_\_\_ OF  
THE CITY CODE OF MIAMI BEACH BY: \_\_\_\_\_

REPEAT VIOLATION AS DEFINED BY CHAPTER  
162 FLORIDA STATUTES.

RECURRING VIOLATION PURSUANT TO CHAPTER  
162 FLORIDA STATUTES.

YOU CAN COMPLY BY: \_\_\_\_\_

ON OR BEFORE THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

A FAILURE TO COMPLY BY THE DATE SPECIFIED ABOVE WILL  
RESULT IN CHARGES BEING FILED AGAINST YOU WITH THE  
SPECIAL MASTER OF THE CITY OF MIAMI BEACH.

Code Compliance Officer (signature) \_\_\_\_\_

Code Compliance Officer (print)  
305-673-7000 EXT. \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_  
(signature)

RECEIVED BY: (print) \_\_\_\_\_  
Property owner / tenant / employee / agent / attorney

other: \_\_\_\_\_

IMPORTANT APPEAL AND ADA INFORMATION  
ON BACK



MIAMI BEACH

CASE # CE 16001194

CITY OF MIAMI BEACH  
CODE COMPLIANCE DIVISION  
505 17 St. Miami Beach, FL 33139  
(305) 673-7555 Fax (305) 673-7012

NOTICE OF ZONING VIOLATION

Date: 01/27/2016 Time: 12:50 P.M.

Violator: YOHAMA LORENZO

Violation Address: \_\_\_\_\_

INSPECTION OF THE ABOVE PREMISES ON THIS DATE  
DISCLOSES YOU ARE IN VIOLATION OF SECTION \_\_\_\_\_ OF  
THE CITY CODE OF MIAMI BEACH BY: \_\_\_\_\_

REPEAT VIOLATION AS DEFINED BY CHAPTER  
162 FLORIDA STATUTES.

RECURRING VIOLATION PURSUANT TO CHAPTER  
162 FLORIDA STATUTES.

YOU CAN COMPLY BY: REMOVING SAID VEHICLE  
SCREENING WITHIN 7 DAYS  
RECEIPT OF THIS NOTICE

ON OR BEFORE THE 3 DAY OF FEBRUARY 2014.

A FAILURE TO COMPLY BY THE DATE SPECIFIED ABOVE WILL  
RESULT IN CHARGES BEING FILED AGAINST YOU WITH THE  
SPECIAL MASTER OF THE CITY OF MIAMI BEACH.

Code Compliance Officer (signature) \_\_\_\_\_

J. OZUNA

Code Compliance Officer (print)  
305-673-7000 EXT. 6905

RECEIVED BY: \_\_\_\_\_  
(signature)

RECEIVED BY: (print) \_\_\_\_\_  
Property owner / tenant / employee / agent / attorney



City of Miami Beach  
Code Compliance Division  
c/o Joardeen Jarquin  
505 17 St. Miami Beach, FL 33139

RE: Violation# CE16001191  
Yohama Lorenzo  
1620 Daytonia Rd.  
Miami Beach, FL 33141

Dear Sir:

My name is Giorgio Rubini. I am the homeowner living at 1611 Daytonia Rd, Miami Beach, 33141 which is directly across (to the north of) the street from Dr. Yohama Lorenzo. I am aware that Dr. Lorenzo was cited by the City of Miami Beach due to "insufficient screening" of her recreational vehicle. In order to rectify this matter, Ms. Lorenzo has installed a double gate. I wish to take this opportunity to advise both your office, as well as the Office of the Special Master (we cannot attend the hearing in this matter scheduled on May 4, 2017) that we find these gates to be tasteful and more than sufficient to screen out any detrimental view of the recreational vehicle in question.

Thank you for your consideration of our position in this matter.

Sincerely,

Giorgio Rubini

FIVE MORE YEARS LLC

