

**City of Miami Beach Zoning**

1700 Convention Center Drive  
Miami Beach, FL 33139  
Phone: (305) 673-7550  
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Date: August 15<sup>th</sup>, 2017

RE: **Letter of intent-Variance Request**  
**Alencar Residence – Single Family Home**  
**5346 Pine Tree Drive**  
**Miami Beach, FL 33140**

To Whom It May Concern:

The enclosed application is for construction of a new carport located at the aforementioned address. The current building is an existing house with the following criteria:

<b>Uses:</b>	<b>Single Family Home</b>
<b>Constructed Date:</b>	<b>1928</b>
<b>Height:</b>	<b>2 Stories</b>
<b>Area of Bldg (Flr):</b>	<b>2,482 SF</b>

The nature of this application is to request a **variance** according to the Miami Beach zoning code:

**1. REQUEST TO WAIVE 4” OF THE MINIMUM REQUIRED SIDE YARD SETBACK OF 5’-0” IN ORDER TO BUILD A CARPORT AT 4’-8” FROM THE SIDE PROPERTY LINE.**

Sec. 142-108.2. *Regulations for additions to architecturally significant homes which are substantially retained and preserved.* In addition to the development regulations and area requirements of section 142-105, of the land development regulations of the City Code, the following shall apply in the event an architecturally significant single-family home constructed prior to 1942 is substantially retained and preserved. In the event of a conflict between the provisions of section 142-105, 142-106 and section 118-252, and the regulations below, the provisions herein shall control:

(j) *Projections.* Habitable additions to, as well as the relocation of, architecturally significant structures, may project into a required rear or side yard for a distance not to exceed 25 percent of the required yard, up to the following maximum projections:

1. Interior side yard: Five feet.

This variance is to allow sufficient covered area for a car with allowing the structure to match current historic façade of the house. Please see the response to meet criteria as laid out in Section 118-353 (d).

*(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 current house was built in 1928 when cars were not common, so no area was built to designate a covered car area.

*(2) The special conditions and circumstances do not result from the action of the applicant;*

This does 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;*

This will not indicate and special privilege.

*(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;*

These provisions will not deprive the applicant of rights.

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

This 4" variance is the minimum we would need for a car to adequately covered.

*(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;*

The variance request is not near public access, and will not be injurious to the area involved. It will be in harmony with the general intent.

*(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 anytime prior to the board voting on the applicant's request.*

The request will remain consistent to the comprehensive plan.

Best regards,



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