

NARRATIVE

Project: MA15201 - HABER

Date: 10/11/2017

Att: Irina Villegas

Reference:

Plan Corrections Report, 08/23/2017
ZBA17-0051

Planning Dept General Correction Review

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| Comment | 1. The minimum elevation of the future crown of the road is 5.26' NGVD. As the plans showing street plan for Bay Avenue are from almost 2 years ago, we are going to use 5.26' NGVD as grade elevation for the property. |
| Response | Zoning Data sheet is adjusted to show 5.26' NGVD grade elevation. |
| Comment | 2. In addition, more recent plans showing the future elevation of the street may be provided. |
| Response | PG&D plans dated 1/11/16 are the most current plans provided to us by the City of Miami Beach on 8/28/17 and show a centerline grade of 4.46 NGVD when adjusted from NAVD. We need to know for certain what the future grade will be in order to grade the yard correctly. |
| Comment | 3. Indicate setback from rear to the walls at carport. |
| Response | Carport wall is set back 5'-1" to rear property line, shown on L-101 Site Plan and L-102 Variance Diagram |
| Comment | 4. Carport requires a street side setback and a rear setback variance for a structure. It does not qualify to be reviewed under the carport section of the Code. Variances from the required 15'-0" street side yard is not requested. Variance for the rear setback does not apply to an accessory structure. The required setback is 21'-6". Accessory structures allowed under 142-1132 cannot be located in a street side yard. <u>Letter of intent and variance diagram shall be revised.</u> |
| Response | If structure does not qualify under allowable accessory structure under 142-1132, we are now applying for a street side and rear setback variance for a structure, under sections 142-106 (2) and 142-106 (3). Letter of intent and variance diagram are revised. |

- Comment 5. All gates facing the street cannot exceed 5' from grade, unless is setback 2' for a 6'-0" height or 4'-0" for a 7'-0" height. Indicate elevation to the top of gates and pilasters from grade at 5.26' NGVD for all vehicular and pedestrian gates. It appears that gates are higher than 10' from grade. A setback variance is required if gates exceed 10'. Indicate elevation of the top of the pilasters and gates from grade. **Variances OK for the gates facing a street, incorrect for the wall with decorative feature at the north side. The wall exceeds 10' from grade of 5.26' and requires a side setback variance. Letter of intent and variance diagram shall be revised.**
- Response Gate elevations are now provided on L-101 and L-102. As measured from site grade of 5.26' NGVD column heights are 6.24' (+11.5' NGVD) and 5.99' (+11.25' NGVD) and gate heights are 5.99' (11.25' NGVD) and 5.74' (11.00' NGVD). A setback variance is requested for 7'-0" Pilasters and 6'-9" gates from adjacent proposed grade for these gates to remain at the property line. The vehicle gates cannot be moved further into the property and still provide enough clearance for a vehicle to park. A setback variance is requested for the north wall feature. Letter of intent and variance diagram are revised.
- Comment 6. Walls enclosing the mechanical equipment exceed 7' from grade and require a variance.
- Response A variance is being sought for walls greater than 7' ht.
- Comment 7. Variance diagram shall clearly indicate number of variances and location. Indicate Requirements of the Code and proposed variance. **Shall be revised.**
- Response Variance data table is provided on page L-002. Variance diagram has been modified to label each variance to correspond with this table.
- Comment 8. Variance no 1 is not clearly identified. **OK.Still not clear, but staff has determined that the property does not need to comply with the requirements of yard elevation in the front and street side. Variance not required.**
- Response Variance letter and diagram are revised to remove this request.
- Comment 9. Decorative feature wall on the north side requires a variance. Provide height of top of the wall in NGVD. **OK. Indicate that a setback variance is required.**
- Response Top of decorative wall is set at 15.75' NGVD. A setback variance is requested for the north wall feature. Letter of intent and variance diagram are revised.
- Comment 10. Chain link fence is prohibited in any yard facing a street. Remove fence on the front north side.
- Response Chain link fence has been removed from front north side.
- Comment 11. Provide additional photographs showing generator. Generator shall be screened with a permanent enclosure, such as a picket fence and additional landscape will be required. **Provide building permit reference for generator. Not provided. Staff will add conditions in final order.**
- Response Generator photo provided. Generator now screened with wood panel fence and additional landscape hedge. Generator Permit Number **ELR0716-0132**
- Comment 12. Provide rear yard (last 21'-6") open space diagram showing calculations of impervious surface to show compliance with 70% landscape or water area

required. **OK. Area surrounding the ac equipment and pool equipment shall be green landscape area to be counted in open space. Conditions can be added to Final order.**

Response Rear yard open space diagram is provided on L-101 Site Plan. Area surrounding AC equipment and pool equipment is now shown as green landscape area, however it is our professional opinion that this material will have a difficult time surviving next to an AC compressor and with foot traffic needed to access this equipment.

Comment 13. Revise letter of intent to modify and include additional variances. **Shall be revised**

Response The Letter of Intent has been revised.

Comment 14. Staff has identified the following variances:

1. A variance to exceed the maximum height for gates facing a street at the property line. Maximum: 5'-0", Proposed: 6'-0". (Includes all three gates).
2. A variance to exceed the maximum height of a wall located within the required rear yard (AC enclosure). Maximum: 7'-0", Proposed: 9'-9".
3. A variance to reduce the required interior side setback for the construction of a wall. (Pool wall). Required: 10'-0", Proposed: 4'-0". (As the wall exceeds 10' from grade, fence height does not apply)
4. A variance from the required rear setback to a pool deck. Required: 6'-0", Proposed: 5'-0".
5. A variance from the required rear setback to the pool water's edge. Required: 7'-6", Proposed: 6'-5".
6. A variance from the required interior side setback to a pool deck. Required: 7'-6", Proposed: 5'-0".
7. A variance from the required interior side setback to the pool water's edge. Required: 9'-0", Proposed: 8'-0".
8. A variance from the required street side setback to a structure (carport). Required: 15'-0", Proposed: 4'-9".
9. A variance from the required rear setback to a structure (carport). Required: 21'-6", Proposed: 5'-1".

Response The Letter of Intent has been revised to show the variances above with variance number corresponding to the variance diagram.

Comment 15. Provide a narrative responding to staff comments.

Response A narrative has been provided responding to staff comments.