



Architecture – Interiors – Construction Management
Lic.#AA26002467

VIA HAND DELIVERY

The Chairperson and Members of the
Miami Beach Board of Adjustments
City of Miami Beach Planning Department
1700 Convention Center Drive, 2nd Floor
Miami Beach, Florida 33139

November 07, 2017

**Re: Louis Puig, 2700 N Bay Rd., Miami Beach (the “Property”)
Hardship Letter for New Addition/Building Connection Rear
Variance (“Application”)**

Dear Chairperson and Members of the Board of Adjustments:

Our firm represents Louis Puig (the “Applicant”) in connection with land use and zoning matters relating to the Property. Please accept this Application, on behalf of the Applicant, for a rear setback variance, a sum of side setback variance, a rear open space variance, and a rear pool deck setback variance, to construct a new addition to the existing Main Residence and Guest House (the “Project”).

I. The Property

The Property is designated Single-Family, Low Density (“RM-1”) on the City of Miami Beach Official Zoning Map. The Property was originally constructed in 1925. The Property consists of three (3) main structures: 1) Two-Story Main Residence 2) Two-Story Guest House 3) Two-Story Carriage House/Garage. It also contains a cabana, pool and spa.

II. The Project

The proposed scope of work the applicant is requesting is a two story exterior addition/building connection between the existing Main Residence & Guest House. This addition will be used as a dining room at the ground floor, and a master closet & bathroom at the second floor. It will align with the existing Main Residence (as seen on sheet A-1.1). It will allow the client and guests, direct access to the master bedroom in the Guest House and not require them to exit the home.

III. Request for Variances

The Applicant is requesting the following (4) variances:

1. A Variance for the Rear Setback at the Water, per City Code Division 2, 142-106 (3).

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New Two-Story Addition: The proposed project will combine the existing Main Residence & Guest House, which now causes it to be treated as a singular building. The Guest House will no longer be considered an accessory structure and have to follow standard setback regulations. The setback requirement is at 30'-4", and we are providing a setback of 26'-6". The request is to reduce the rear setback by 3'-10".

Variance Criteria per Section 118-353 (d) of the City Code:

- 1) The addition is peculiar to the land, as it will connect the main residence and the guest house, in a manner that will not be visibly evident from the bay or N Bay Rd.
- 2) The variance request is for an existing rear setback. The addition itself will not require any setback variances.
- 3) We are not requesting special privileges as the addition will not require unit size or lot coverage variances. It will have minimal impact on the site itself, as the rear setback will remain the same.
- 4) The variance will allow the expansion/connection of the centrally located main residence to the rear of the site, similar to the other homes in the area.
- 5) The 3'-10" variance requested is the minimum possible request, as the existing 26'-6" setback of the Guest House are the existing conditions of the home.
- 6) The granting of the variance will be in harmony with the site and public, as the proposed addition will not be clearly visible from neither the front (N Bay Rd) nor the rear (bay) of the property. It is aligned with and in between the existing buildings. This minimizes the impact of the addition to the property and the area.
- 7) The granting of the variance, does not inhibit access to any services such as trash, fpl, and emergency personnel. The granting of the variance also is consistent with the comprehensive plan, as the addition will not require unit size or lot coverage variances.

2. A variance for the Sum of the Side Setbacks at the Water, per City Code Division 2, 142-106 (2a).

New Two-Story Addition: The proposed project will combine the existing Main Residence & Guest House, which now causes it to be treated as a singular building. The Guest House will no longer be considered an accessory structure and have to follow standard setback regulations. The sum of side setback requirement is at 44'-2", and we are providing a sum of side setback of 36'-4". The request is to reduce the sum of side setback by 7'-10".

Variance Criteria per Section 118-353 (d) of the City Code:

- 1) The addition is peculiar to the land, as it will connect the main residence and the guest house, in a manner that will not be visibly evident from the bay or N Bay Rd.

- 2) The variance request is for an existing side setback. The addition itself will not require any setback variances.
- 3) We are not requesting special privileges as the addition will not require unit size or lot coverage variances. It will have minimal impact on the site itself, as the side setback will remain the same.
- 4) The variance will allow the expansion/connection of the centrally located main residence to the rear of the site, similar to the other homes in the area.
- 5) The 7'-10" variance requested is the minimum possible request, as the existing 36'-4" sum of side setbacks of the Guest House & Carriage House, are the existing conditions of the home.
- 6) The granting of the variance will be in harmony with the site and public, as the proposed addition will not be clearly visible from neither the front (N Bay Rd) nor the rear (bay) of the property. It is aligned with and in between the existing buildings. This minimizes the impact of the addition to the property and the area.
- 7) The granting of the variance, does not inhibit access to any services such as trash, fpl, and emergency personnel. The granting of the variance also is consistent with the comprehensive plan, as the addition will not require unit size or lot coverage variances.

3. A variance for the 70% rear yard open space, per City Code Division 2, 142-106 (3).

Existing Condition: This is an existing condition that is not affected by the two story addition in any way. The existing rear yard open area is 1,832 sq.ft. (54.32% of 3,373 sq.ft.), and the required is 2,361.1 sq.ft. (70% of 3,373 sq.ft.). The request is to reduce the requirement by 529.11 sq.ft. (15.68% of 3,373 sq.ft.).

Variance Criteria per Section 118-353 (d) of the City Code:

- 1) The variance is peculiar to the land, as the paved walkway at the rear is what connects the house to the wood dock. The possible removal of the paved walkway, will make it impossible to access the dock.
- 2) The variance request is for an existing rear yard open area.
- 3) We are not requesting special privileges as we are not adding additional paved walkway. The request is only for the existing conditions.
- 4) The variance will allow the access to the wood dock facing the bay to remain, similar to the other homes in the area.
- 5) The 529.11 sq.ft. (15.68%) variance requested is the minimum possible request, as it is the existing conditions of the home.
- 6) The granting of the variance will be in harmony with the site and public, as the rear will remain as existing.
- 7) The granting of the variance, does not inhibit access to any services such as trash, fpl, and emergency personnel. The granting of the variance also is consistent with the comprehensive plan, as there is an existing significant percentage of green open area at the rear.

4. A variance for the 7'-6" rear pool deck setback.

Existing Condition: This is an existing condition that is not affected by the two story addition in any way. The existing rear pool deck setback is at 2'-10", and the required rear pool deck setback of 7'-6". The request is to reduce the requirement by 4'-8".

Variance Criteria per Section 118-353 (d) of the City Code:

- 1) The variance is peculiar to the land, as the paved walkway at the rear is what connects the house to the wood dock. The possible removal of the paved walkway, will make it impossible to access the dock.
- 2) The variance request is for an existing rear pool deck setback.
- 3) We are not requesting special privileges as we are not adding additional paved walkway. The request is only for the existing conditions.
- 4) The variance will allow the access to the wood dock facing the bay to remain, similar to the other homes in the area.
- 5) The 4'-8" variance requested is the minimum possible request, as it is the existing conditions of the home.
- 6) The granting of the variance will be in harmony with the site and public, as the rear will remain as existing.
- 7) The granting of the variance, does not inhibit access to any services such as trash, fpl, and emergency personnel. The granting of the variance also is consistent with the comprehensive plan, as there is an existing significant percentage of green open area at the rear.

VI. Conclusion

The Applicant is requesting a rear setback variance, a sum of side setback variance, and a rear yard open area variance, and a rear pool deck setback, in order to further develop their single family residence, but at the same time preserve the existing 1942 residence. Based on the foregoing, we respectfully request your favorable consideration of this Application.

Sincerely,

Wesley Art Castellanos, Registered Architect

Cc: Louis Puig