

December 6, 2018

City of Miami Beach
Planning Department
1700 Convention Center Drive
Miami Beach, FL 33139

Ref: Letter of Intent / Hardship Letter
925 Lenox Avenue
Miami Beach, FL 33139

This application to the Historic Preservation Board is for the construction of a new 3-story building on the land behind 925 Lenox Avenue. Proposed are 2 units over covered parking totaling 8,268 square feet including storage at ground level. We are requesting the following variances:

1. A variance to waive 11'-0" of the minimum required 16'-0" rear building & parking setback, in order to build the three story building 5'-0" from the rear of the property line.
2. A variance to waive 1'-6" of the minimum required 7'-6" north side building setback for a non-habitable feature.
3. A variance of the minimum sum of the side setbacks.
4. A variance for the driveway curb cut to be reduced to 9'-0", (12'-0" minimum required)
5. A variance to allow the existing driveway to remain at 9'-0", (22'-0" minimum required for a 2 way driveway).
6. A variance to waive 3'-6" of the minimum 5'-0" side setback required for the driveway.

Variance requested from:

Section 142-156 Setback Requirements for a residential addition in the RM-1 Multifamily Low density Section of the Flamingo Park Historic District.

*-The Rear Setback of Pedestal (required for Non-Oceanfront Lots) and the at-grade parking lot
10% of lot depth (16'-0")*

*-The Side Setback of Pedestal (required for Non-Oceanfront Lots)
16% of lot width (7.5' min.)*

HOW EACH VARIANCE REQUESTED SATISFIES HARDSHIP CRITERIA:

The site currently contains a one (2) story historic residential building at the front of the lot facing Lenox Avenue. It is a condition that exists which is peculiar to the land, and not applicable to other lands in the same zoning district, and obviously does not result from the action of this proposal. The building typifies the Art-Deco historic architecture that is preserved throughout the neighborhood. As the owner is required to preserve the building located at the front of the lot due to its historic designation, and that any additions in the rear of the lot must meet minimum separation requirements from the existing structures, a reduction of the rear setback is required to create a new structure that compliments what already exists.

(1. 2. and 3.) By granting these variances, it will simply allow the addition to be built at the established 5'-0" shared by a majority of buildings along the rear property line as well as the side setbacks. A literal interpretation of the provisions of this Ordinance would deprive the owner of rights commonly enjoyed by other adjacent properties in this same zoning district and would impose unnecessary and undue hardship. Furthermore, it will not confer any special privilege that is denied by this Ordinance to other lands in this same zoning district.

(4. 5. and 6.) The driveway is an existing component that has always been used for a low intensity building in the rear (which was demolished). Basically, we are requesting to continue to use it as it has always been for what is essentially another low intensity building. By granting these variances, it would allow the owner to create an addition that would contribute to the overall site, the district as a whole, and to provide adequate off-street parking. It is the minimum variance that will make possible the most reasonable use of the existing land, and will not confer any special privilege that is denied by this Ordinance to other lands in this same zoning district.

It is my professional opinion that granting of these requests would be consistent with the overall comprehensive plan, and will not reduce the levels of service as set forth in the plan. It will be in harmony with the general intent and purpose of this Ordinance, and not be injurious to the area involved or otherwise detrimental to the public welfare.

Respectfully Submitted,

Anthony Leon, Architect
President - 3Design Architecture