MIAMI BEACH

PLANNING DEPARTMENT, 1700 CONVENTION CENTER DRIVE, 2ND FLOOR MIAMI BEACH, FLORIDA 33139, WWW.MIAMIBEACHFL.GOV 305–673–7550

LAND USE BOARD HEARING APPLICATION

THE FOLLOWING APPLICATION IS SUBMITTED FOR REVIEW AND CONSIDERATION OF THE PROJECT DESCRIBED HEREIN BY THE LAND USE BOARD SELECTED BELOW. A SEPARATE APPLICATION MUST BE COMPLETED FOR EACH BOARD REVIEWING THE PROPOSED PROJECT.

☐ BOARD OF ADJUSTMENT
☐ VARIANCE FROM A PROVISION OF THE LAND DEVELOPMENT REGULATIONS
☐ APPEAL OF AN ADMINISTRATIVE DECISION
X DESIGN REVIEW BOARD
☑ DESIGN REVIEW APPROVAL
☑ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY DRB.
☐ HISTORIC PRESERVATION BOARD
☐ CERTIFICATE OF APPROPRIATENESS FOR DESIGN
☐ CERTIFICATE OF APPROPRIATENESS TO DEMOLISH A STRUCTURE
☐ HISTORIC DISTRICT / SITE DESIGNATION
□ VARIANCE RELATED TO PROJECT BEING CONSIDERED OR APPROVED BY HPB.
☐ PLANNING BOARD
☐ CONDITIONAL USE PERMIT
☐ LOT SPLIT APPROVAL
☐ AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS OR ZONING MAP
☐ AMENDMENT TO THE COMPREHENSIVE PLAN OR FUTURE LAND USE MAP
☐ FLOOD PLAIN MANAGEMENT BOARD
☐ FLOOD PLAIN WAIVER
□ OTHER
SUBJECT PROPERTY ADDRESS: 1134 S. Biscayne Point Road - Lot 2
LEGAL DESCRIPTION: PLEASE ATTACH LEGAL DESCRIPTION AS "EXHIBIT A"
FOLIO NUMBER (S) 02-3203-001-1461

 APPLICANT: 	MOWNER OF THE SUBJECT PROPERTY TENANT ARCHITECT LANDSCAPE ARCHITECT
	□ ENGINEER □ CONTRACTOR □ OTHER
NAME Bisca	lyne Point 2016, LLC
ADDRESS 201	S. Biscayne Blvd, #2825, Miami, FL 33131
20011200111014	CELL PHONE
E-MAIL ADDRESS	s_ogoncalves01@gmail.com
OWNER IF DIFFER	RENT THAN APPLICANT:
NAME NA	•
ADDRESS	A
F-MAIL ADDRESS	CELL PHONE
L MAIL ADDRESS	ODEL THORE
2. AUTHORIZED F	REPRESENTATIVE(s):
☐ ATTORNEY:	LE MESERTATIVE (S).
	All arkin Fea / Carli Kashal Fam
ADDRESS 200 S	El Larkin Esq. / Carli Koshal, Esq.
BUSINESS PHONE	S. Biscayne Blvd, Ste 850, Miami, FL 33131
E-MAIL ADDRESS	305-374-5300 CELL PHONE Markin@brzoninglaw.com / ckoshal@brzoninglaw.com /
	mlarkin@brzoninglaw.com / ckoshal@brzoninglaw.com
☐ AGENT:	
ADDRESS	
BUSINESS PHONE	
E-MAIL ADDRESS	CELL PHONE
	OLE FROM
☐ CONTACT:	
NAME	
ADDRESS	
BUSINESS PHONE_	CELL PHONE
E-MAIL ADDRESS	OELL PHONE
3. PARTY RESPONSI	BLE FOR PROJECT DESIGN:
	CT LANDSCAPE ARCHITECT ENGINEER CONTRACTOR OTHER:
ADDRESS 6248 C	Coral Way, Miami, FL 33155
	DO SUS 1951
E-MAIL ADDRESS _ d	viceinc@gmail.com
	FILE NO

pint Road. See letter of intent for additional information	1.	
4A. IS THERE AN EXISTING BUILDING(S) ON THE SITE	XYES	□ NO
4B. DOES THE PROJECT INCLUDE INTERIOR OR EXTERIOR DEMOLITION	MYES.	Пио
4C. PROVIDE THE TOTAL FLOOR AREA OF THE NEW BUILDING (IF APPLICAL	RIE)	20
4D. PROVIDE THE TOTAL GROSS FLOOR AREA OF THE NEW BUILDING (INC	LUDING REQUIRED D	SQ. FT,
USEABLE FLOOR SPACE).	LODING NEGOINED P.	
		SQ. FT.

- A SEPARATE DISCLOSURE OF INTEREST FORM MUST BE SUBMITTED WITH THIS APPLICATION IF THE APPLICANT OR OWNER IS A CORPORATION, PARTNERSHIP, LIMITED PARTNERSHIP OR TRUSTEE.
- ALL APPLICABLE AFFIDAVITS MUST BE COMPLETED AND THE PROPERTY OWNER MUST COMPLETE AND SIGN
 THE "POWER OF ATTORNEY" PORTION OF THE AFFIDAVIT IF THEY WILL NOT BE PRESENT AT THE HEARING,
 OR IF OTHER PERSONS ARE SPEAKING ON THEIR BEHALF.
- TO REQUEST THIS MATERIAL IN ALTERNATE FORMAT, SIGN LANGUAGE INTERPRETER (FIVE-DAY NOTICE IS REQUIRED), INFORMATION ON ACCESS FOR PERSONS WITH DISABILITIES, AND ACCOMMODATION TO REVIEW ANY DOCUMENT OR PARTICIPATE IN ANY CITY-SPONSORED PROCEEDINGS, CALL 305.604.2489 AND SELECT (1) FOR ENGLISH OR (2) FOR SPANISH, THEN OPTION 6; TTY USERS MAY CALL VIA 711 (FLORIDA RELAY SERVICE).

PLEASE READ THE FOLLOWING AND ACKNOWLEDGE BELOW:

THE RESERVE

- APPLICATIONS FOR ANY BOARD HEARING(S) WILL NOT BE ACCEPTED WITHOUT PAYMENT OF THE REQUIRED
 FEE. ALL CHECKS ARE TO BE MADE PAYABLE TO THE "CITY OF MIAMI BEACH".
- PUBLIC RECORDS NOTICE ALL DOCUMENTATION, SUBMITTED FOR THIS APPLICATION IS CONSIDERED A
 PUBLIC RECORD SUBJECT TO CHAPTER 119 OF THE FLORIDA STATUTES AND SHALL BE DISCLOSED UPON
 REQUEST.
- IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 2-482 OF THE CODE OF THE CITY OF MIAMI BEACH, ANY INDIVIDUAL OR GROUP THAT WILL BE COMPENSATED TO SPEAK OR REFRAIN FROM SPEAKING IN FAVOR OR AGAINST A PROJECT BEING PRESENTED BEFORE ANY OF THE CITY'S LAND USE BOARDS, SHALL FULLY DISCLOSE, PRIOR TO THE PUBLIC HEARING, THAT THEY HAVE BEEN, OR WILL BE COMPENSATED. SUCH PARTIES INCLUDE: ARCHITECTS, LANDSCAPE ARCHITECTS, ENGINEERS, CONTRACTORS, OR OTHER PERSONS RESPONSIBLE FOR PROJECT DESIGN, AS WELL AS AUTHORIZED REPRESENTATIVES ATTORNEYS OR AGENTS AND CONTACT PERSONS WHO ARE REPRESENTING OR APPEARING ON BEHALF OF A THIRD PARTY; SUCH INDIVIDUALS MUST REGISTER WITH THE CITY CLERK PRIOR TO THE HEARING.

FILE NO.	
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- IN ACCORDANCE WITH SEC.118-31. DISCLOSURE REQUIREMENT. EACH PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION FROM THE PLANNING BOARD, DESIGN REVIEW BOARD, HISTORIC PRESERVATION BOARD (INCLUDING THE JOINT DESIGN REVIEW BOARD/HISTORIC PRESERVATION BOARD), OR THE BOARD OF ADJUSTMENT SHALL DISCLOSE, AT THE COMMENCEMENT (OR CONTINUANCE) OF THE PUBLIC HEARING(S), ANY CONSIDERATION PROVIDED OR COMMITTED, DIRECTLY OR ON ITS BEHALF, FOR AN AGREEMENT TO SUPPORT OR WITHHOLD OBJECTION TO THE REQUESTED APPROVAL, RELIEF OR ACTION, EXCLUDING FROM THIS REQUIREMENT CONSIDERATION FOR LEGAL OR DESIGN PROFESSIONAL SERVICES RENDERED OR TO BE RENDERED. THE DISCLOSURE SHALL; (I) BE IN WRITING, (II) INDICATE TO WHOM THE CONSIDERATION HAS BEEN PROVIDED OR COMMITTED, (III) GENERALLY DESCRIBE THE NATURE OF THE CONSIDERATION, AND (IV) BE READ INTO THE RECORD BY THE REQUESTING PERSON OR ENTITY PRIOR TO SUBMISSION TO THE SECRETARY/CLERK OF THE RESPECTIVE BOARD. UPON DETERMINATION BY THE APPLICABLE BOARD THAT THE FOREGOING DISCLOSURE REQUIREMENT WAS NOT TIMELY SATISFIED BY THE PERSON OR ENTITY REQUESTING APPROVAL, RELIEF OR OTHER ACTION AS PROVIDED ABOVE, THEN (I) THE APPLICATION OR ORDER, AS APPLICABLE, SHALL IMMEDIATELY BE DEEMED NULL AND VOID WITHOUT FURTHER FORCE OR EFFECT, AND (II) NO APPLICATION FROM SAID PERSON OR ENTITY FOR THE SUBJECT PROPERTY SHALL BE REVIEWED OR CONSIDERED BY THE APPLICABLE BOARD(S) UNTIL EXPIRATION OF A PERIOD OF ONE YEAR AFTER THE NULLIFICATION OF THE APPLICATION OR ORDER. IT SHALL BE UNLAWFUL TO EMPLOY ANY DEVICE, SCHEME OR ARTIFICE TO CIRCUMVENT THE DISCLOSURE REQUIREMENTS OF THIS SECTION AND SUCH CIRCUMVENTION SHALL BE DEEMED A VIOLATION OF THE DISCLOSURE REQUIREMENTS OF THIS SECTION.
- WHEN THE APPLICABLE BOARD REACHES A DECISION A FINAL ORDER WILL BE ISSUED STATING THE BOARD'S DECISION AND ANY CONDITIONS IMPOSED THEREIN. THE FINAL ORDER WILL BE RECORDED WITH THE MIAMI—DADE CLERK OF COURTS. THE ORIGINAL BOARD ORDER SHALL REMAIN ON FILE WITH THE CITY OF MIAMI BEACH PLANNING DEPARTMENT. UNDER NO CIRCUMSTANCES WILL A BUILDING PERMIT BE ISSUED BY THE CITY OF MIAMI BEACH WITHOUT A COPY OF THE RECORDED FINAL ORDER BEING INCLUDED AND MADE A PART OF THE PLANS SUBMITTED FOR A BUILDING PERMIT.

THE AFOREMENTIONED IS ACKNOWLEDGED BY:	OWNER OF THE SUBJECT PROPERTY
	AUTHORIZED REPRESENTATIVE
SIGNATURE: Youth	
PRINT NAME: OSCAY	2 Gonealves

OWNER AFFIDAVIT FOR INDIVIDUAL OWNER

	STATE OF
	COUNTY OF
1	CONTION
The state of the s	l,
	Sworn to and subscribed before me thisday of, 20 The foregoing instrument was acknowledged before me by, who has producedas identification and/or is personally known to me and who did/did not take an oath.
	NOTARY SEAL OR STAMP
	NOTARY PUBLIC
	My Commission Expires: PRINT NAME
	ALTERNATE OWNER AFFIDAVIT FOR
	CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY
	STATE OF Florida (Circle one)
	I, Bate Decide Seeing duly sworn, depose and certify as follows: (1) I am the Company (print title) of Biscayne Point 2016, LLC (print name of corporate entity). (2) I am authorized to file this application on behalf of such entity. (3) This application and all information submitted in support of this application, including sketches, data, and other supplementary materials, are true and correct to the best of my knowledge and belief. (4) The corporate entity named herein is the owner or tenant of the property that is the subject of this application. (5) I acknowledge and agree that, before this application may be publicly noticed and heard by a land development board, the application must be complete and all information submitted in support thereof must be accurate. (6) I also hereby authorize the City of Miami Beach to enter the subject property for the sole purpose of posting a Notice of Public Hearing on the property as required by law. (7) I am responsible for removing this notice after the date of the hearing.
,	Sworn to and subscribed before me this 3 day of Scarnise 2016. The formula is
<	Sworn to and subscribed before me this day of
	Notary Public State of Florida Michael Robert Jaar My Commission Expires: My Commission EE 831947
	Expires 09/03/2016
	PRINT NAME
	FILE NO

POWER OF ATTORNEY AFFID	AVIT	
STATE OF Florida		
COUNTY OF Miami-Dade		
1, USCAL (POLONICS) being duly eworn and deposed		
representative of the owner of the real property that is the authorize Michael Larkin/ Carli Koshal to be my representative by	, certify as follows: (1) I am the owner or	
authorize Michael Larkin/ Carli Koshal to be my representative be authorize the City of Miami Beach to enter the subject property for	fore the Design Review Roard (2) Later the Period	
authorize the City of Miami Beach to enter the subject property for Public Hearing on the property, as required by law (4) Lam responsible	or the sole purpose of posting a Notice of	
Public Hearing on the property, as required by law. (4) I am responsit the hearing.	ole for removing this notice after the date of	
	/// W	
Manager of Biscayne Point 2016, LLC PRINT NAME (and Title, if applicable)	- (Yull -)	
the true, if applicable)	SIGNATURE	
Sworn to and subscribed before me this 3day of season 2016 _T	he foregoing instrument was acknowledged before me	
identification and/or is possesselly be as a second of the	who has produced as	
identification and/or is personally known to me and who did/did not take an oath.	produced as	
NOTARY SEAL OR STAMP	0412	
5**********	NOTARY PUBLIC	
Notary Public State of Florida	MOTALL FORLIC	
My Commission Expires My Commission Expires	LLILLIAN L JOHN	
op no Expires 09/03/2016	PRINT NAME	
	FRINT NAME	
Property 1 - Parkers 1990		
CONTRACT FOR PURCHASE		
If the applicant is not the owner of the property, but the applicant is property, whether or not such contract is contingent on this application.	S a party to a contract to purch	
property, whether or not such contract is contingent on this application, contract purchasers below, including any and all principal officers, at all	the applicant shall list the names of the	
contract purchasers below, including any and all principal officers, stock of the contract purchasers are corporations, partnerships, limited liability	cholders, beneficiaries, or partners. If any	
of the contract purchasers are corporations, partnerships, limited liabilities, the applicant shall further disclose the identity of the individual ownership interest in the entity. If any contingency places are continuously and air principal officers, stock of the contract purchasers are corporations.	ty companies, trusts, or other corporate	
ownership interest in the entity of any contingency along	(s) (natural persons) having the ultimate	
	proprate entities list all individuals,	
corporate entities.*	perate officies, list all marviages and/or	
NAME	DATE OF CONTRACT	
	DATE OF CONTRACT	
NAME, ADDRESS, AND OFFICE	% OF STOCK	
In the event of any changes of ownership or changes in contracts for	Durchase subsequent to the	
In the event of any changes of ownership or changes in contracts for this application is filed, but prior to the date of a final public hearing, the disclosure of interest.	ourchase, subsequent to the date that	

FILE NO.____

CITY OF MIAMI BEACH DEVELOPMENT REVIEW BOARD APPLICATION

DISCLOSURE OF INTEREST

1. CORPORATION, PARTNERSHIP, OR LIMITED LIABILITY COMPANY

If the property that is the subject of the application is owned or leased by a corporation, partnership, or limited liability company, list ALL of the owners, shareholders, partners, managers, and/or members, and the percentage of ownership held by each. If the owners consist of one or more corporations, partnerships, trusts, partnerships, or other corporate entities, the applicant shall further disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP
NAME OF CORPORATE ENTITY	
NAME AND ADDRESS	% OF OWNERSHIP

NOTE: Notarized signature required on page 9

CITY OF MIAMI BEACH DEVELOPMENT REVIEW BOARD APPLICATION DISCLOSURE OF INTEREST

2.	TRUSTEE

If the property that is the subject of this application is owned or leased by a trust, list any and all trustees and
beneficiaries of the trust, and the percentage of interest held by each. If the owners consist of one or more
corporations, partnerships, trusts, partnerships, or other corporate entities, the applicant chall further
disclose the identity of the individual(s) (natural persons) having the ultimate ownership interest in the entity.*

NAME AND ADDRESS % INTEREST

TRUST NAME

NOTE: Notarized signature required on page 9

FILE	NO.	
FILE	NO.	

PHONE #

Julissa M. Garcia

FILE NO.___

PRINT NAME

3. COMPENSATED LOBBYIST:

My Commission Expires:

NAME

Pursuant to Section 2-482 of the Miami Beach City Code, all lobbyists shall, before engaging in any lobbying activities, register with the City Clerk. Please list below any and all persons or entities retained by the applicant to lobby City staff or any of the City's land development boards in support of this application.

ADDRESS

		THORIE II						
a. <u>Michael Larkin</u>	200 S. Biscayne Blvd, Ste 850	305-374-5300						
b. Carli Koshal	200 S. Biscayne Blvd, Ste 850	305-374-5300						
c. Dan Ritchie	6248 Coral Way	305 965 7497						
	•							
Additional names can be placed on a separate page attached to this form.								
*Disclosure shall not be required of any entity, the equity interests in which are regularly traded on an established securities market in the United States or other country, or of any entity, the ownership interests of which are held in a limited partnership or other entity, consisting of more than 5,000 separate interests, where no one person or entity holds more than a total of 5% of the ownership interests in the entity.								
APPLICANT HEREBY ACKNOWLEDGES AND AGREES THAT (1) ANY APPROVAL GRANTED BY A LAND DEVELOPMENT BOARD OF THE CITY SHALL BE SUBJECT TO ANY AND ALL CONDITIONS IMPOSED BY SUCH BOARD AND BY ANY OTHER BOARD HAVING JURISDICTION, AND (2) APPLICANT'S PROJECT SHALL COMPLY WITH THE CODE OF THE CITY OF MIAMI BEACH AND ALL OTHER APPLICABLE CITY, STATE, AND FEDERAL LAWS.								
APPLICANT AFFIDAVIT								
STATE OF FLORIDA								
COUNTY OF MIGMI- DADE								
300,111 01 //, 15///								
being first duly sworn, denose and certify as follows: (1) Lam the								
representative of the applicant. (2) This applican	ion and all information submitted in au	nnow of this is						
including disclosures, sketches, data, and other suknowledge and belief.	applementary materials, are true and co	of to the best of my						
	a Chal	L						
	-/6	SIGNATURE						
Sworn to and subscribed before me this 22 day	SEPT OF 16 -	STATE OF THE PROPERTY OF THE P						
acknowledged before me by, who has any the	of 20 . The fo	pregoing instrument was						
did/did not take an oath.	April Month and to its personally	known to me and who						
acknowledged before me by, who has publicated did/did not take an oath. NOTARY SEAL OR STAMP	E. C. T.	200						
NOTARY SEAL OR STAMP	ge: I yelles //	ias xucca						
= Z + GG con.		NOTARY PUBLIC						
NOTART PUBLIC								

EXHIBIT A

Legal Description

Parcel 2: Lot 33, Block 7, of BISCAYNE POINT, according to the plat thereof as recorded in Plat Book 14, at Page 35, of the Public Records of Miami—Dade County, Florida,

Less and except the following:

Commence at the Northeast corner of Lot 33, Block 7, of BISCAYNE POINT, thence SB7'3B'29"W, along the North line of said Lot 33, also being the South right—of—way line of South Biscayne Point Road, a distance of 37.00 feet to the Point of Beginning: thence S16'31'15"W, a distance of 223.26 feet to a point of cusp with a non tangent curve concave to the Southwest, having a radius of 168.80 feet, the initial radial of which bears N49"26'23"E, said point also lying on the exterior face of the exiting bulkhead; thence Northwesterly along said exterior face of the exiting bulkhead; an arc distance of 11.04 feet, through a central angle of 3'44'46" to a point; thence N44"8'37"W, along the exterior face of the exiting bulkhead, a distance of 115.22 feet to the Southwest corner of aforesaid Lot 33; thence N44"24'58"E, along the Northwesterly boundary line of said Lot 33, a distance of 172.45 feet to a point of cusp with a non tangent curve concave to the Northeast, having a radius of 100.00 feet, the initial radial of which bears S05'58'23"W, said point being also the Northwest corner of said Lot 33 and lying on the South right—of—way line of South Biscayne Point Road; thence in a southeasterly direction, along said curve, an arc distance of 14.48 feet through a central angle of 8"7'54" to the point of tangency; thence continue along the North line of aforesaid Lot 33, also being the South right—of—way line of South Biscayne Point Road, NB7'38'29"E, a distance of 16.28 feet to the Point of Beginning.

Disclosure of Interest

Biscayne Point 2016 LLC Owner of Property located at 1134 S. Biscayne Point Road

Jose Breindembach 201S. Biscayne Blvd, Unit 2825, Miami, FL 33131 50%

Yumary Kohler 201S. Biscayne Blvd, Unit 2825, Miami, FL 33131 50%



DIRECT LINE: (305) 377-6231 E-Mail: MLarkin@brzoninglaw.com

VIA ONLINE SUBMISSION & HAND DELIVERY

October 14, 2016

Thomas Mooney, Director Planning Department City of Miami Beach 1700 Convention Center Drive, 2nd Floor Miami Beach, Florida 33139

Re: Design Review Approval for Single-Family Home Located at 1134 South Biscayne Point Road, Lot 2, Miami Beach

Dear Tom:

This law firm represents Biscayne Point 2016, LLC (the "Applicant"), the owner of the above-referenced property (the "Property"). Please consider this letter the Applicant's letter of intent in support of a request for design review approval and variances.

The Property. The Property is situated on the east side of an irregular lot located at the southeast corner of Biscayne Point. The lot in its entirety is identified by Miami-Dade County Folio No. 02-3203-001-1461. The Applicant has applied to the Planning Board to have the irregular parcel legally divided (PB16-0059).¹ The Property will be approximately 19,411 square feet (0.44 acres) in size and is located within the RS-3 Single-Family Residential zoning district.

<u>Development Program.</u> The Applicant purchased the Property in July 2016 and is proposing to develop the Property with a single, one-story residence. The proposed home has been designed in a contemporary style and complies with the City of Miami Beach Code ("Code") requirements for unit size, lot coverage and height. The proposed home will be approximately 5,600 square feet in size, where approximately 7,064 square feet could be permitted. The proposed home is architecturally distinct from the proposed home on the adjacent property to the west.

¹ It should be noted that the nearly identical lot, both in terms of size and shape, on the northeast corner of Biscayne Point has been divided into three (3) separate lots.

Mr. Thomas Mooney October 14, 2016 Page 2 of 4

Requests. While the proposed home falls within the permissible size allowances for single family residences within the RS-3 district, Section 142-105 (b)(9) of the Code requires: "all new construction for homes on lots resulting from a lot split application approved by the planning board shall be subject to the review and approval of the design review board (DRB) ..." Additionally, while the lot is significantly larger than other lots within the area and the proposed home complies with single family home standards, variances for the Property are necessary, as follows:

Lot Width Variance. The Applicant respectfully requests a variance of Section 142-105(b)(1) of the Code, which requires that lots within the RS-3 district be a minimum of sixty (60) feet wide at the front setback. The Property is certainly greater than sixty feet in width, however, because the lot is pie shaped, the lot meets the intent of the Code but not the technical requirement.

Rear Setback Variance. The Applicant respectfully requests a variance of Section 142-106(3) of the Code, which requires the rear setback of single family residences within the RS-3 district to be a minimum of fifteen percent (15%) of the lot depth. The requested rear setback variance will allow the proposed home to be situated on the Property in a location that is more compatible with the existing context- both with respect to the front and rear setbacks. Due to the Property's irregular shape, the Property is significantly longer than the majority of lots in this area. Accordingly, the required setback for the proposed home is significantly greater than the majority of other homes. The Applicant proposes to locate the rear of the proposed home in line with the standard shaped lots in the surrounding area. Further, since the lot is pieshaped, the front of the proposed home has been set back farther from the front property line, to take advantage of the wider width of the rear area of the Property and which allows for more landscaping to be located in the front setback area.

Driveway Variance. The Applicant respectfully requests a variance of Section 142-1132(g) of the Code, which requires driveways leading into a property located in single-family districts to have a minimum setback of four (4) feet from the side property lines. The Applicant is trying to configure access to the Property in a manner that is least disruptive to the surrounding area. To this end, the Property and the adjacent parcel to the west will share driveway access from the S. Biscayne Point Road frontage, with a single driveway that spans the shared property line.

<u>Satisfaction of Hardship Criteria</u>. The Applicants' request satisfies all hardship criteria as follows:

(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 Property is pie-shaped: relatively narrow at the front property line and relatively wide at the rear of the Property. This condition is peculiar to the land and is not applicable to other properties in this area. The majority of parcels within this area are rectangular: approximately seventy-five (75) feet wide by one hundred fifty (150) feet long, 11,250 square feet in total. The Property is a total of 19,411 square feet, but since the Property is pie shaped, development of the Property in a manner that is compatible with the adjacent lots necessitates the requested variances.

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

The pie shape of the Property does not result from the action of the Applicant. The Property, even as combined with the adjacent parcel to the west, has been pie-shaped since the Property was platted in 1925.

(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;

Granting the variances requested will not confer on the Applicant any special privileges denied to other parcels in the same zoning district. The Property is oddly shaped relative to the other parcels in this area. Other oddly shaped parcels also have the opportunity to request relief from the strict requirements of the Code through the variance process.

(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;

A literal interpretation of the provisions of these land development regulations would work as an unnecessary and undue hardship on the Applicants because it would apply regulations developed for rectangular lots to this non-standard parcel. The Property is larger than the majority of the other parcels in this area, and, due to its odd shape, literal interpretation of the development regulations would disproportionately and negatively impact the development of a new single family home on the Property.

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



Mr. Thomas Mooney October 14, 2016 Page 4 of 4

The requests are the minimum variances necessary to provide develop a new home on the Property that is compatibly situated relative to the homes in the surrounding area. The proposed home is a one-story structure that complies with lot coverage, unit size, height, and side yard setback regulations. The variances requested are the minimum requests related developing a respectful home on an oddly shaped parcel.

(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; and

Granting the requested variances will be in harmony with the general intent and purpose of these land development regulations. The intent of the single family home regulations is to ensure responsible development which is compatible with the existing context. The requested variances will permit development of the Property with a home that is compatibly sized, setback, and accessed. Granting the variances will be benefit to the surrounding area as they will limit the perception of mass from S. Biscayne Point drive and, in effect, allow more greenery to be located in the front yard area of the Property.

(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 variance request is consistent with the City's comprehensive plan and does not reduce the levels of service as set forth in the plan.

<u>Conclusion.</u> We believe that the approval of the application will permit the development of a beautiful single-family home on the Property that will be compatible with the character of the residential neighborhood. We look forward to your favorable review of the application. If you have any questions or comments in the interim, please give me a call at 305-374-5300.

Sincerely

Michael Larkin

cc: Carli Koshal, Esq.





zoning public notification packages | ownership lists + mailing labels + radius maps diana@rdrmiami.com | 305.498.1614

August 30, 2016

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

Re: Property Owners List within 375 feet of:

SUBJECT: 1134 S Biscayne Point Road, Miami Beach, FL 33141

FOLIO NUMBER: 02-3203-001-1461

LEGAL DESCRIPTION: BISCAYNE POINT PB 14-35 LOT 33 BLK 7

This is to certify that the attached ownership list, map and mailing labels are a complete and accurate representation of the real estate property and property owners within 375 feet radius of the external boundaries of the subject property listed above, including the subject property. This reflects the most current records on the file in Miami-Dade County Property Appraisers' Office.

Sincerely,

Rio Development Resources, LLC

Diana B. Rio

Total number of property owners without repetition: 34

Rio Development Resources, LLC ("RDR") has used its best efforts in collecting the information published in this report and the findings contained in the report are based solely and exclusively on information provided by you and information gathered from public records and that local government. By acceptance of this report, you agree to hold RDR harmless and indemnify RDR from any and all losses, damages, liabilities and expenses which can be claimed against RDR caused by or related to this report.

375' RADIUS MAP



<u>SUBJECT</u>: 1134 S Biscayne Point Road, Miami Beach, FL 33141 <u>FOLIO NUMBER</u>: 02-3203-001-1461

LEGAL DESCRIPTION: BISCAYNE POINT PB 14-35 LOT 33 BLK 7

7745 NOREMAC LLC 7745 NOREMAC AVE MIAMI BEACH, FL 33141 ABRAHAM ZALMAN 7422 YONIE CT LAS VEGAS, NV 89117 AMAYA SAMPERIO 7724 HAWTHORNE AVE MIAMI BEACH, FL 33141-1038

ANTONIO DIAZ 7744 HAWTHORNE AVE MIAMI BEACH, FL 33141 BISCAYNE POINT 2016 LLC 201 S BISCAYNE BLVD 2825 MIAMI, FL 33131 CITY OF MIAMI BEACH CITY HALL 1700 CONVENTION CENTER DR MIAMI BEACH, FL 33139

CITY OF MIAMI BEACH ET AL 1310 WASHINGTON AVE MIAMI BEACH, FL 33139 CYNTHIA ORAMAS JTRS PAOLA ORAMAS JTRS 7600 BAYSIDE LANE MIAMI BEACH, FL 33141

DIEGO RAUL MICHANIE 155 NE 21 ST MIAMI, FL 33137-4820

DONALD R REED &W SARA 1170 S BISCAYNE PT RD MIAMI BEACH, FL 33141-1740 ERIC ROMANOW 1680 MICHIGAN AVE #PH4 MIAMI BEACH, FL 33139 EVA BERMAN 7640 BAYSIDE LANE MIAMI BEACH, FL 33141-1013

GERALD FERNANDEZ &W OLGA 7717 HAWTHORNE AVE MIAMI BEACH, FL 33141-1001 GRAZYNA MARZYNSKI TR 7630 BAYSIDE LN MIAMI BEACH, FL 33141-1013 HONGBIN ZHANG 7735 HAWTHORNE AVE MIAMI BEACH, FL 33141

ISAAC EPELBAUM &W DORA 7740 NOREMAC AVE MIAMI BEACH, FL 33141 JEAN M ORLANDO &W BARBARA ORLANDO 145 OLD ARMY RD SCARSDALE. NY 10583

JESUS CORREDERA 535 NW 12 AVE MIAMI, FL 33136-3607

JUAN ANTONIO NIETO 7620 BAYSIDE LANE MIAMI BEACH, FL 33141 LFC MIAMI PROPERTIES LLC 860 COLLINS AVE #207 MIAMI BEACH, FL 33139 MARGENE MUNOZ 1150 S BISCAYNE POINT RD MIAMI BEACH, FL 33141

MARVIN L SUSSMAN 5800 SW 88 ST MIAMI, FL 33156-2066 MATLALATL LLC 601 NE 36 ST #CU-3 MIAMI, FL 33137 MATTHEW CHRYCY SARA THOMPSON 7700 HAWTHORNE AVE MIAMI BEACH, FL 33141

MICHAEL A SMITH NORMA SMITH QUINN 1155 S BISCAYNE POINT ROAD MIAMI BEACH, FL 33141 MICHAEL TUCH RAQUEL BUSSEY HOCHSTRASSER 1200 SOUTH BISCAYNE POINT RD MIAMI BEACH, FL 33141

MITCHELL CUTLER KATHLEEN CUTLER 7720 HAWTHORNE AVE MIAMI BEACH, FL 33141

OSWALDO DE MESQUITA ELENIR DE MESQUITA 10729 NW 70 LN DORAL, FL 33178

PNC BANK NA 249 FIFTH AVE PITTSBURGH, PA 15222 RUBI RODRIGUEZ 7713 NOREMAC AVENUE MIAMI BEACH, FL 33141 SALOMON LEVY &W LILY C/O ALBERT LEVY 222 PARK AVENUE PALM BEACH, FL 33480

STEPHEN PHILLIPS &W MASHA 7735 NOREMAC AVE MIAMI BEACH, FL 33141-1747 STILLWATER REAL PROPERTIES LLC 1111 KANE CONCOURSE # 410 BAY HARBOR ISLANDS, FL 33154

WILLIAM GARCIA &W BARBARA R 12013 LOUISE AVE GRANADA HILLS, CA 91344

Name	Address	City	State	Zip	Country
7745 NOREMAC LLC	7745 NOREMAC AVE	MIAMI BEACH	FL	33141	USA
ABRAHAM ZALMAN	7422 YONIE CT	LAS VEGAS	NV	89117	USA
AMAYA SAMPERIO	7724 HAWTHORNE AVE	MIAMI BEACH	FL	33141-1038	USA
ANTONIO DIAZ	7744 HAWTHORNE AVE	MIAMI BEACH	FL	33141	USA
BISCAYNE POINT 2016 LLC	201 S BISCAYNE BLVD 2825	MIAMI	FL	33131	USA
CITY OF MIAMI BEACH CITY HALL	1700 CONVENTION CENTER DR	MIAMI BEACH	FL	33139	USA
CITY OF MIAMI BEACH ET AL	1310 WASHINGTON AVE	MIAMI BEACH	FL	33139	USA
CYNTHIA ORAMAS JTRS PAOLA ORAMAS JTRS	7600 BAYSIDE LANE	MIAMI BEACH	FL	33141	USA
DIEGO RAUL MICHANIE	155 NE 21 ST	MIAMI	FL	33137-4820	USA
DONALD R REED &W SARA	1170 S BISCAYNE PT RD	MIAMI BEACH	FL	33141-1740	USA
ERIC ROMANOW	1680 MICHIGAN AVE #PH4	MIAMI BEACH	FL	33139	USA
EVA BERMAN	7640 BAYSIDE LANE	MIAMI BEACH	FL	33141-1013	USA
GERALD FERNANDEZ &W OLGA	7717 HAWTHORNE AVE	MIAMI BEACH	FL	33141-1001	USA
GRAZYNA MARZYNSKI TR	7630 BAYSIDE LN	MIAMI BEACH	FL	33141-1013	USA
HONGBIN ZHANG	7735 HAWTHORNE AVE	MIAMI BEACH	FL	33141	USA
ISAAC EPELBAUM &W DORA	7740 NOREMAC AVE	MIAMI BEACH	FL	33141	USA
JEAN M ORLANDO &W BARBARA ORLANDO	145 OLD ARMY RD	SCARSDALE	NY	10583	USA
JESUS CORREDERA	535 NW 12 AVE	MIAMI	FL	33136-3607	USA
JUAN ANTONIO NIETO	7620 BAYSIDE LANE	MIAMI BEACH	FL	33141	USA
LFC MIAMI PROPERTIES LLC	860 COLLINS AVE #207	MIAMI BEACH	FL	33139	USA
MARGENE MUNOZ	1150 S BISCAYNE POINT RD	MIAMI BEACH	FL	33141	USA
MARVIN L SUSSMAN	5800 SW 88 ST	MIAMI	FL	33156-2066	USA
MATLALATL LLC	601 NE 36 ST #CU-3	MIAMI	FL	33137	USA
MATTHEW CHRYCY SARA THOMPSON	7700 HAWTHORNE AVE	MIAMI BEACH	FL	33141	USA
MICHAEL A SMITH NORMA SMITH QUINN	1155 S BISCAYNE POINT ROAD	MIAMI BEACH	FL	33141	USA
MICHAEL TUCH RAQUEL BUSSEY HOCHSTRASSER	1200 SOUTH BISCAYNE POINT RD	MIAMI BEACH	FL	33141	USA
MITCHELL CUTLER KATHLEEN CUTLER	7720 HAWTHORNE AVE	MIAMI BEACH	FL	33141	USA
OSWALDO DE MESQUITA ELENIR DE MESQUITA	10729 NW 70 LN	DORAL	FL	33178	USA
PNC BANK NA	249 FIFTH AVE	PITTSBURGH	PA	15222	USA
RUBI RODRIGUEZ	7713 NOREMAC AVENUE	MIAMI BEACH	FL	33141	USA
SALOMON LEVY &W LILY C/O ALBERT LEVY	222 PARK AVENUE	PALM BEACH	FL	33480	USA
STEPHEN PHILLIPS &W MASHA	7735 NOREMAC AVE	MIAMI BEACH	FL	33141-1747	USA
STILLWATER REAL PROPERTIES LLC	1111 KANE CONCOURSE # 410	BAY HARBOR ISLANDS	FL	33154	USA

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